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T H E
PENAL STATUTES
A B R I D G E D,
A N D
ALPHABETICALLY ARRANGED.

Calculated to serve the desirable End of
AN ALPHABETICAL COMMON PLACE BOOK

O F T H E
P E N A L L A W S.

EXHIBITING, AT ONE VIEW,
The Nature of the Offence; the Penalty annexed to it, for the
first, second, and third Offence; the Number of Witnesses
and Magistrates necessary to conviction; the Application of
the Penalty; the Manner of prosecuting and recovering the
Penalty.

TO WHICH IS PREFIXED,
A Collection of Maxims and Rules for the proper Exposition of
Statutes; the Whole being essentially necessary for the due
Administration of public Justice.

DEDICATED TO THE
MAGISTRATES OF GREAT-BRITAIN.

By G E O R G E C L A R K, Esq.

L O N D O N :

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THE

PENAL STATUTES

ARRANGED

AND

ALPHABETICALLY ARRANGED



TO THE
M A G I S T R A T E S
O F
G R E A T - B R I T A I N .

S I R S,

THE relation which you bear to your country, is of the utmost importance for the preservation of peace, and the defence of our persons and properties, and with much propriety (under God) ye may be termed, the *primum mobile* of the common-weal.

The *real* administration of justice, hangs principally upon these two hinges: your knowledge of the laws—and, your resolution to enforce them. When these join hands, Harmony and Tranquillity are likely to commence. When either of these is wanting, how awfully true is it, that Destruction *will* REIGN!

The latter of these qualifications I cannot give you; accept therefore the following sheets, as an attempt to aid or increase the former.

In hope that this may appear to be the fruit of my labour, I most cordially subscribe myself,

S I R S,

Your most humble,

And obedient servant,

G. C.

TO THE

MAGISTRATES

OF THE

CITY OF

NEW YORK

IN SENATE

CONFIRMED

THE 12TH DAY OF

APRIL 1871

BY THE SENATE

OF THE STATE OF

NEW YORK

IN SENATE

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P R E F A C E.

A LONG and universal complaint has taken place, on the subject of our statute laws, particularly on account of their being so disagreeably voluminous; which has rendered the knowledge of them very confined, whereas it ought to be universal. Especially, this should be the case, as to that part of our statutes which are called penal, seeing that *every man in judgment of law is party.*

The universality of their knowledge is almost essential, on several accounts, all of which tend ultimately, either to the lawful and proper redress of injuries, or to the maintenance of public justice.

Without a knowledge, by individuals, of the provisions the law has made for the accommodation of these things, we may very justly ask, on the one hand, how are they to obtain redress for injuries done? and on the other, how can they so act as to escape the penalties the law has imposed? this last will appear in its proper colours, while we attend to that useful and well-known maxim,

Ignorantia legis neminem excusat.

1 Rep. 177. 2 Rep. 3. 6 Rep. 54.

If then a knowledge of the laws, by which we are governed, be necessary for the maintenance of a proper subordination, the preservation of due order, the security of our rights, and the manifestation of justice; I say, if this be the case, every possible means should be used for the inculcating the doctrines of our laws: and, it must be allowed, that none can answer more effectually this salutary end than the reducing them to a correct compendium.

“As our statute laws (says the learned Mr. Wood*) are monstrously overgrown, they too want the skill of our legislators to bring them to a proper shape. If many of our statutes, with others continuing, enlarging, explaining, correcting, repealing and revising them, were, under their proper heads, thrown into one short and plain act, it would render the study of our laws more inviting, and the statutes more intelligible to all those that are to be guided by them.”

How far the ensuing sheets will answer these truly desirable ends, is submitted to the judicious. Their use will be

best known to those who will most use them, and though no pains have been wanted to render them useful and correct, yet if any trifling error should have escaped unobserved, it is hoped it will be considered, not as arising from a want of care, but from the intricacy of the subject.

Of this there is no doubt, that such a concise and cheap work as this, when considered as to its extensive usefulness, cannot fail of meriting the attention and encouragement of those whose office is, the ADMINISTRATION OF JUSTICE; nor can it be less regarded by those who wish to secure their own rights, or to be acquainted with the laws to which they are subject.

One of the author's best pleasures will be, to see it answer the ends for which it is intended, which are, to assist the magistrate in his execution of public justice, and to instruct individuals in the knowledge of our penal laws, that they may, on the one hand, defend their rights, and, on the other, avoid those practices which will expose them to their wrath.

The AUTHOR.

MAXIMS

M A X I M S

AND

OBSERVATIONS,

EXTRACTED FROM SEVERAL AUTHORS:

I.

A REMEDY by action, is either expressly or implicitly given by every statute, made against an injury done; and besides such an action upon the statute, the offender may be fined for contempt to the King.

II.

Where one hath several remedies, he may use which he will.

III.

Where an offence prohibited by a penal statute, be also an offence at common law, the prosecution of it as an offence at common law, is not restrained, but

IV.

Common law must give place to a statute, where they thwart; and

V.

An old statute must give place to a new, where they are contrary; but

VI.

An affirmative act shall not repeal a precedent affirmative act, or the common law.

VII.

Acts of Parliament against the power of subsequent Parliaments, bind not.

VIII.

Where no penalty is imposed for disobedience to any statute, an offence against it, is indictable as a contempt of the law, and the offender may be fined and imprisoned at the King's suit, for

IX.

The Law has a delight in giving of remedy; and

X.

The Law has provided a remedy for every wrong.

XI.

Want of right, and want of remedy, is all one; for where there is no remedy, there is no right.

XII.

No costs shall be given to an informer, unless it is expressly directed by the statute, but his costs shall be paid out of the forfeiture.

XIII.

The agreement of parties cannot make that good, which the Law makes void.

XIV.

No Law can be abrogated but by Act of Parliament.

XV.

Where a statute says that a person shall *forfeit*, (without saying to whom) he that is grieved shall have the action and forfeiture, not the King. But where no particular person is grieved, and the forfeiture is given generally, the King shall have it.

XVI.

The prosecution and execution of any penal statute, cannot be transferred to any subject; nor can the forfeiture be transferred to any other before it is recovered, or vested in the King, by due course of Law.

Where

XVII.

Where a statute appoints a conviction to be on the oath of one witness, this ought not to be by the single oath of the informer; for if the same person were allowed to be the informer and witness, it would induce persons to commit perjury for the sake of the reward.

XVIII.

The ignorance of the Law cannot excuse; for

XIX.

To an Act of Parliament, every man in judgment of Law is a party.

XX.

Acts of Parliament relate to the first day of the Session of Parliament in which they were made, if it is not otherwise provided by the Act.

XXI.

The Judges ought to take notice of statutes which concern the King and Queen.

XXII.

The Judges will take notice of general or publick Acts, though they are not pleaded, but not of particular or private Acts without pleading. See 4 Rep. 76. 2 Roll. Abr. 465, 466.

XXIII.

The exposition of Acts of Parliament belongs to the Judges of the Common Law, though they concern things of a spiritual nature.

XXIV.

The title of the Act is no part of the Act.

XXV.

The preamble or rehearsal of a statute is to be taken for truth; therefore good arguments and proofs may be drawn from the preamble or rehearsal.

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XXVI.

The words of an Act of Parliament must be taken in a lawful sense.

XXVII.

A sentence which begins and ends with specifying persons and things of an inferior rank, ought not to be extended by general words to those that are superior; as by these general words, (viz.) *And no other person or Act whatsoever, &c.* shall not include superior persons or things that were not particularly expressed. (See e contra 2 Inst. 137, 627).

XXVIII.

Penal statutes shall not be extended by equity, and must be interpreted by reasonable constructions, according to the meaning of the legislators.

XXIX.

It is natural to construe one part of a statute by another.

XXX.

They may be construed according to equity, especially where they give remedy for wrong, or are for expedition of Justice, or to prevent delay; for lawmakers cannot comprehend all cases.

XXXI.

Things out of the words shall not be taken by equity.

XXXII.

Things for necessity sake, or to prevent a failure of Justice, are excepted out of a statute.

XXXIII.

General words of an Act shall not take away necessary incidents.

XXXIV.

A penal statute ought to be construed strictly; but it may be construed beneficially; for

What

XXXV.

What is out of the mischief, is out of the meaning of a Law, though it is within the letter.

XXXVI.

And on the contrary, what is within the same mischief, shall be within the same remedy, though it be out of the letter of the Law.

XXXVII.

The construction of a statute must be in suppression of a mischief, and in advancement of the remedy.

XXXVIII.

It must be construed so that no innocent man may by a literal construction receive damage.

XXXIX.

Statutes made to prevent and suppress frauds, ought to have a favourable interpretation.

XL.

Acts of Parliament that are against reason, or impossible to be performed, shall be judged void.

XLI.

The surest construction is by reason of the Common Law.

XLII.

The reason of the Law is the life of the Law.

XLIII.

General words will not always be allowed to transfer a right.

XLIV.

Custom or usage is a good interpreter of a Law.

XLV.

A *saving*, which is repugnant to the body of the Act, is void.
When

XLVI.

When an Act makes any thing good against a person in certain, it shall not take away the right of another though there is no *saving*.

XLVII.

By repealing of a repealing statute, the first is revived.

XLVIII.

By reviving an Act repealed, the Act of repeal is of no force.

XLIX.

An Act of Parliament cannot be antiquated by *non user*.

L.

He that reciteth a statute in pleading, is not bound to recite the very words, so long as he keeps to the substance. And yet it is the safest way to recite the very words.

LI.

Where degrees of punishment are inflicted by a statute, for the first, second, or third offence, there must be several convictions and judgments.

LII.

If any shall be sued on a penal Law in the King's Bench, Common Pleas, or Exchequer, he may appear by Attorney without bail, if such person is bailable by Law. 29 *Eliz c. 5*.

LIII.

The statutes of jeofails, or the statutes that do remedy over-sights in pleading, extend not to penal prosecutions.

LIV.

For the true interpretation of statutes, four things are to be observed and considered. 1. What the Common Law was before the making of the statute. 2. What was the mischief or defect not provided for by the Common Law. 3. What remedy the statute has appointed to cure the mischief or defect. 4. The true reason of the remedy.

T H E

THE

PENAL STATUTES

A B R I D G E D.

A B I

ABJURE. see REPLEVISABLE.

ACCESSARIES. Persons abetting, helping, procuring, &c. in petit treason, or murder of malice prepensed, or in robbing churches, &c. or in robbing any person in his dwelling house, the owner, his wife, children or servants, then being therein, or in the precincts thereof, whether sleeping or waking; or in robbing any person in or near about the highways; or in burning of any houses, or barns containing corn or grain, is *Death sans Clergy.* 23 H. 8. c. 1. f. 3. & 5 & 6 Edw. 6. c. 9. f. 4.

Accessaries in taking away a woman against her will, that hath lands or goods, or is heir apparent to her ancestors, though she afterwards consent to marry him is *the same.* 39 Eliz. c. 9. f. 1, 2.

Accessaries in procuring to be acknowledged any fine, recovery, deed inrolled, statute, recognizance, bail or judgment, in the name of another not privy thereto, is *the same.* 21 Jac. 1. c. 26. f. 2.

Where any murder or felony shall be committed in one county, and any one shall be accessory thereto in another, an indictment found against such accessory upon the circumstance in the county where such offences of accessory shall be committed, shall be as good as if the principal offence had been committed there, and the Justices of gaol delivery, &c. in such county, upon suit to them made, shall write to the Custos Rotulorum where the principal offence

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is attainted, to certify to them concerning him, who shall make a certificate thereof under their seal to said Justices, who may there upon proceed against such accessary in such county. 2 & 3 Edw. 6. c. 24. f. 4.

Accessaries in robbing any person, breaking any dwelling house, shop or warehouse in the day time, and taking away goods or chattels to 5s. value, although no person therein, or in committing any burglary, is *Death sans Clergy*. 3 W. & M. c. 9. f. 1.

Accessaries in privately stealing any goods, &c. of like value out of any shop, stable, &c. (although no actual breaking thereof, and although the owner be not therein) is *the same*. 10 & 11 W. 3. c. 23. f. 1.

Accessaries in piracy, is *the same*. 8 G. 1. c. 24. f. 3, 4.

Accessaries in forging any deed, will, bond, bill of exchange, promissory note for money, or any indorsement thereof, or any acquittance for money or goods with intent to defraud, is *the same*. 2 G. 2. c. 25. f. 1.

Accessaries in forging or altering, &c. any acceptance of any bill of exchange, or the number or principal sum of any accountable receipt for any note, bill, or other security for money; or any warrant or order for money, or delivery of goods, or utter or publish the same, &c. as true with intent to defraud, is *the same*. 7 G. 2. c. 22. f. 1.

Accessaries in stealing; or killing with an intent to steal any sheep, bull, cow, ox, steer, bullock, heifer, calf or lamb, is *the same*. 14 G. 2. c. 6. f. 1. & 15 G. 2. c. 34. f. 1.

Accessaries in stealing any linen, fustian, callico, &c. laid to be printed, bleached, &c. of 10s. value, is *the same*, or to work upon the Thames, &c. 18 G. 2. c. 27. f. 1, 2. & 16 G. 3. c. 43. f. 1.

Accessaries both before and after in horse stealing, is *felony sans Clergy*. 31 Eliz. c. 12. f. 5. See HOPS. INDICTMENT. RIBBANDS. KEY. & MAIM.

ACCOMPLICE. If any one being out of prison shall commit any robbery, and afterwards discover two or more robbers, so as they be convicted; he shall be pardoned all robberies committed by him before such discovery; which shall be a bar to any appeal for such robbery. 4 W. & M. c. 8. f. 7.

The like for coining, and offences against the Black Act. 6 & 7 W. 3. c. 17. f. 12. & 9. G. 1. c. 22. f. 3. See ROOTS.

ACKNOWLEDGING.

ACKNOWLEDGING or procuring, &c. any fine, recovery, deed inrolled, statute, recognizance, bail, or judgment in the name of any other person, not privy thereto, is *Felony without Clergy*. 21 James 1. c. 26. f. 2.

ACT, Black. Any one rescuing any person in lawful custody for offences by this act, is *Felony sans Clergy*. 9 G. 1. c. 22. f. 11. Or, any person guilty of the offences contained in the Black Act, not surrendering himself. *Idem. Idem. f. 2.*

A person charged by information with any of the offences aforesaid, on oath of one credible person, by him subscribed, the justices shall certify under their hands and seals, and return such information to a Secretary of State, who is to lay the same before the King in his Privy Council, who may make an order for his surrender within 40 days, and in default, *Felony sans Clergy*. Or, any person shall (after the time appointed for such surrender) conceal, aid or abet such person, knowing him to have been so charged, and to have been required to surrender as aforesaid. *Idem. Idem. f. 4, 5.*

Prosecution for offences against this act to be within one year. *Idem. f. 10.*

The hundred is chargeable for damage sustained by maiming cattle, cutting down trees, or setting fire to any house, &c. as above, unless the offender convicted within six months, *Idem. f. 7. 9. see RESCUE.*

ACTIONS. All actions, &c. for any forfeiture upon any statute penal, whereby the forfeiture is limited to the King, shall be had within two years. And all such actions upon any penal statute (except the statutes of Tillage whereby the benefit is limited to the King, and to any other person, that may lawfully pursue for it, within one year, and in default of such pursuit, the same may be had by the King within two years after that year. Declaration to be laid in the county where offence committed, except in certain cases. 31 Eliz. c. 5. f. 5, 2, 4. All actions upon the case (except slander) account, trespass, debt, detinue, and replevin for goods or cattle, and trespass *quare clausum fregit*, to be brought within six years. And actions of assault, battery, wounding, imprisonment, within four years. And actions on the case for words within two years. 21 James 1. c. 16. f. 3.

No person shall unlawfully maintain, or procure unlawful maintenance in any action upon pain to forfeit 10l. a moiety

moiety thereof to the King, and the other to him that will sue by action of debt, bill, plaint, or information. Nor shall unlawfully retain for maintenance of any suit or plea any person, or embrace any freeholders or jurors, or suborn any witness, by letters, rewards, promises, or any other sinister means, for to maintain any cause, or to the hindrance of justice, on the like pain, in like manner.—Such persons to be sued within one year. 32 Hen. 8. c. 9. f. 3.

ADDITIONS. In every original writ of actions personals, appeals, and indictments, and in which the exigent shall be awarded in the names of the defendants, additions shall be made of their estate or degree, or mystery; and of the towns, or hamlets, or places, and counties of which they be, &c. *And if such the additions be omitted any outlawries to be void; and the clerk omitting same, to be punished, and to make fine to the King. 1 H. 5. c. 5.*

ADMISSION. Persons producing admissions into Corporations before December 25, 1777, are indemnified from penalties, &c. 16 G. 3. c. 50. See COMPANY.

ADMIRALTY. No Register or Marshall in any Court of Admiralty shall act as advocate, on pain of forfeiting his office. 16 G. 3. c. 5. f. II.

ADVERTISING. See REWARDS.

AFFRAYS. By the Common Law affrays are punishable by fine and imprisonment.

AID. See ASSIST.

ALDER. See WOOD.

ALEROUSES. Retailers of ale or beer *without* licence, or on demand to them made by any officer appointed by the Commissioners for the duties charged on stamped vellum, parchment, &c. refusing to produce same, and not permitting such officer, at his own expence, to take a copy thereof, shall (by one Justice) forfeit 40s. with costs; and in default, after 14 days, &c. commitment for one month, unless sooner paid, &c. &c. half to the informer, and half to the King. 5 G. 3. c. 46. f. 20, 22, 25.

No licence shall be granted to any person to keep a common inn, or alehouse, or to retail any brandy or strong waters, but at a general meeting of the Justices acting in the division where such person dwells, on the first day of September, or within 20 days after; to be made for one year only, to commence on the 29th September; and the day and place for granting the same, shall be appointed by two

or

or more Justices, &c. by warrant, &c. (to the high constable, &c. requiring him to give notice to the petty constables, to give notice to &c.) at least ten days before such meeting. This not to alter the power or the time of granting licences in cities and towns corporate, nor in the two universities. 26 G. 2. c. 31. s. 4. 15, 16.

And no licence shall be granted to any person not licensed the year preceeding, (except in cities or towns corporate, and the two universities) unless he produce a certificate under the hand of the Minister and the major part of the Church Wardens and Overseers, or else of three or four reputable and substantial householders of the place, setting forth that such person is of good fame, &c. &c. *Idem.* s. 2, 15, 16.

Retailers of ale or beer, (to be spent in the house) selling the same in pots not signed, stamped, or marked, to be of the content, &c. according to the standard, either from the Exchequer, or from some city, &c. *shall forfeit not exceeding 40s. nor less than 10s. to be recovered by distress, half to the poor, and half to the prosecutor, to be recovered upon oath of one witness, before one Justice.* 11 & 12 W. c. 15. s. 1, 6. Prosecution to be within 30 days. N. B. In London the annoyance Juries have cognizance of this offence.

If any retailer of ale or beer, shall sell the same in any vessel not marked, or if in giving any reckoning in writing, or otherwise, he shall refuse to give in the particular number of quarts or pints, for which demand is made in such account, *he shall not for default of payment, detain any goods belonging to the person from whom such reckoning shall be due, but shall be left to his action.* 11 & 12 W. 3. c. 15. s. 2.

Where a Justice on information or otherwise, suspects that any alehouse keeper, victualler, or retailer, sells ale, beer, cyder or perry, without licence, he may call such person before him, and also any excise officer or gauger, or any other person as evidence; and if such persons so summoned, shall refuse to appear, or when appearing shall refuse to be examined upon oath, and give evidence, *he shall forfeit 10l. to the poor, to be levied by distress.* 26 G. 2. c. 31. s. 9, 10.

Where any person licensed to keep an alehouse, &c. shall be adjudged, at the General or Quarter Sessions, guilty of a breach

a breach of his recognizance, *his recognizance shall be estreated to the King, and he shall be utterly disabled to sell any ale, beer, cyder, perry, spirituous liquors, or strong waters, for the space of three years.* 26 G. 2. c. 31. f. 7.

Alehouse keepers, victuallers, &c. knowingly harbouring any person against whom process hath issued, for obstructing officers of the Customs, &c. after six days notice in the Gazette, of such persons absconding, and by writing fixed to the door of the church, *shall forfeit 100l. and be rendered incapable of licence, &c. to be recovered in the Courts at Westminster. Half to the King, and half to the prosecutor.* 9 G. 2. c. 35. f. 30, 31.

Alehouse keepers, &c. licensed to retail spirituous liquors, exercising the trade of a distiller, grocer, chandler, or keeping a brandy shop, &c. for sale of any spirituous liquors, *shall forfeit 10l. to be recovered in any Court of Record at Westminster. Half to the King, and half to the prosecutor.* 17 G. 2. c. 17. f. 18.

Any person liable to receive any soldiers, or to furnish them as required, refusing so to do, *shall forfeit, not exceeding 5l. nor less than 40s. to be levied by distress, to the use of the poor of the parish, upon oath of one witness, before one Justice.* Mutiny Act. 14 G. 3. f. 70.

If any one licensed to sell liquors, and knowingly suffering any journeyman, labourer, servant, or apprentice, to game with cards, dice, draughts, shuffle-boards, mississippi, or billiard-tables, skittles, nine-pins, or with other implements of gaming, *on conviction before a Justice, on oath of one witness, shall, for the first offence, forfeit 40s. and for every other 10l. to be levied by distress, one fourth to the informer, and the remainder to the poor.* 30 G. 2. c. 24. f. 14. *The information to be within six days.*

If any interlude, &c. or any part thereof, be acted in any place where wine, ale, beer, or other liquors shall be sold, the same shall be deemed to be acted for gain, the persons acting shall be deemed vagabonds, and suffer, &c. or to forfeit 50l. to be recovered by distress; *half to the informer, and half to the poor, upon oath of one witness before two Justices, and in default of distress, commit. to house of correction, &c. not exceeding 6 months.* 10 G. 2. c. 28. f. 1, 2, 7.

Any Constable, or inferior officer, neglecting or refusing to execute by himself, (or some other) upon offenders keeping alehouses without licence, the punishment, &c. the Mayor

Mayor, Justice, &c. may imprison him in the common gaol, sans bail or mainprise, till said offenders be by him, or some other punished, &c. or, forfeiture of 40s. to the poor. $\frac{3}{4}$ Car. 1. c. 3. f. 3.

See BEER, INFORMATION, and LICENCE.

ALIEN. None shall purchase or occupy any benefice of the church within this realm without special licence, on pain of forfeiting the King's protection. 7 Rich. 2. c. 12. f. 1 & 25. Edw. 3. c. 22. f. 1.

ALLEGIANCE. To persuade or withdraw any subjects from their natural obedience, or to withdraw them for that intent from the established to the Romish religion, or if any person shall be wittingly withdrawn as aforesaid, upon conviction, shall suffer and forfeit as in cases of High Treason, 23 Eliz. c. 1. f. 2. Any person wittingly aiding or maintaining such offenders, or knowing the same, shall conceal, &c. after 20 days, shall suffer and forfeit as offenders in misprison of treason. *Idem.* f. 3.

Two or more Justices of peace or other person specially appointed, may summon any person to take oaths of allegiance, and if such persons refuse or neglect to appear, such Justices, &c. to certify same to next general Quarter Sessions, and if such person shall refuse to take said oaths, at said general Quarter Sessions, &c. he shall be esteemed a popish recusant convict, and as such to forfeit, &c. 1 G. 1. c. 13. f. 10.

Any persons refusing to take the oaths, or Quakers subscription, of allegiance and supremacy, &c. shall incur the penalties of recusants, and shall be disabled to vote at elections for parliament. 7 & 8 W. 3. c. 27. f. 1, 19.

ALMS. See POOR.

AMBASSADOR. Any writ sued forth, whereby an Ambassador, or other public Minister of any foreign state, &c. or his domestic servant shall be arrested, or his goods distrained, such writ shall be void: And if any attorney, or officer be convicted thereof by confession, or oath of one witness, before the Lord Chancellor, or Lord Keeper, or Chief Justices, or any two of them, he shall suffer such pains and corporal punishments as shall be imposed by the Lord Chancellor, &c. 7 Ann. c. 12. f. 3, 4, 5. N. B. Such servants names must be registered in the office of some principal Secretary of State, and by him be transmitted to the Sheriffs of London and Middlesex, who shall hang up the same in some public place in their offices.

ANNOYANCE

ANNOYANCE JURY. If any person shall insult any Jury of Annoyance of Westminster, upon oath of two witnesses, before a Justice, he shall forfeit, not exceeding 40s. to the poor, to be levied by distress, and in default, commit: for 10 days unless, &c. 29 G. 2. c. 25. f. 12.

APPEALS. If the party is not satisfied with any judgment of the Justices, on the act of 23 G. 2. c. 21. he may appeal to the next Quarter Sessions, and on information on the said act, the mitigation shall not reduce the penalties to less than one fourth part, over and above the costs and charges. 23 G. 2. c. 21. f. 37, 38.

Upon all appeals to Sessions against judgments, &c. given by any Justices of the peace, the Justices of the sessions shall upon such appeals, cause defects of form in the original proceedings to be amended without costs; and after amendment made, shall go upon the merits. 5 G. 2. c. 19, f. 1.

No appeal in any case of Excise shall be admitted, until appellant have first deposited the single duty of Excise in the hands of the Commissioners, Farmers or Sub-Commissioners of Excise, within whose jurisdiction said cause was originally determined, and have given security to the Commissioners of appeal, or Justice of the peace respectively where it is to be finally adjudged, for fine, &c. as was adjudged against him; and that if upon the determining such appeal, said original judgment be reversed, said Commissioners, &c. shall restore such single duty of excise, or so much as by the Commissioners of appeal, &c. shall be adjudged; and the party originally prosecuting shall pay him double costs; but if the first judgment shall be affirmed, the appellant shall pay like costs to the Commissioners complained of. 15 Car. 2. c. 11. f. 19.

No appeal from any order of removal of any poor from any parish to another, shall be proceeded upon in any Court or Quarter Sessions, unless reasonable notice be given by the Church-wardens or Overseers of the poor of such parish, to the others; the reasonableness of which notice shall be determined by the Justices at the Quarter Sessions to which the appeal is made; and if it shall appear to them that reasonable notice was not given, they shall adjourn the said appeal to the next Quarter Sessions, and then determine same. 9 G. 1. c. 7. f. 8.

If Justices at the Quarter Sessions, upon appeal made concerning settlement, shall determine in favour of the

Appellant that it was an undue removal, they shall award Appellant so much money as shall appear to them to have been paid by the parish making such appeal; towards the relief of such poor, from the time of the removal to the determination of the appeal, to be recovered as by 9 W. 3. 9 G. 1. c. 7. f. 9.

Upon an appeal concerning the settlement of poor, such costs shall be given as the Justices shall think reasonable; and if the person ordered to pay such costs shall live out of the jurisdiction of the Court, any one of those Magistrates wherein such person shall inhabit, upon request to him for that purpose, and a true copy of the order for, &c. produced and proved by some credible witness upon oath. To be levied by distress, or in default, commitment to the common gaol for 20 days. 8 & 9 W. 3. c. 30. f. 3.

APPLES and Pears. Persons buying or selling them by any other measure than water measure, (heaped as usually) shall, upon oath of one witness, before a Justice, &c. forfeit for every offence 10s. to be levied by distress, half to the informer, and half to the poor. 1 Ann. stat. 1. c. 15. f. 1. This shall not extend to measures sealed and allowed by the Fruiterers Company of London. f. 2.

APPLES pine. See ROOTS.

APPRAISER out of favor over valuing a debtors goods which are to be delivered to the creditor, such appraiser shall have the goods delivered to him for the price limited, and he be answerable to creditor for his debt. stat. Acton Burnell, 11 or 13 Edw. 1. f. 12.

APPREHEND. See REWARD.

APPRENTICES. If any person shall set up or exercise any craft, mystery, or manual occupation, except he shall have been brought up therein seven years as an apprentice, or shall set any person to work, &c. except he has been apprentice, he shall forfeit 40s. every month, half to the prosecutor, and half to the King, to be recovered by action in the Courts of Record. 5 Eliz. c. 4 f. 31, 39.

If any apprentice shall absent himself from his master's service before the end of his apprenticeship, he shall, (except he paid 10l. fee, or where seven years shall have elapsed) at any time thereafter, whenever found, be compelled to serve for such time as he has been absent, or make satisfaction, or be committed, not exceeding three months, upon oath of his master, before a Justice. 6 G. 3. c. 25. f. 1, 2, 3.

C

Apprentices

Apprentices misbehaving shall have such correction and punishment as four Justices, &c. at the Sessions, &c. one of which to be of the Quorum, shall think meet. 5 Eliz. c. 4. s. 35. N. B. Since the 20 G. 2. c. 19. this Act, 5 Eliz. c. 4. s. 35. has been considered as limited to apprentices with above 5l. given.

Apprentices, &c. with whom under, or the sum of 5l. &c. on masters misbehaving shall be discharged. And such apprentices misbehaving shall be committed to hard labour, with correction, not exceeding one cal. month, or be discharged upon oath before two Justices. 20 G. 2. c. 19. s. 3, 4.

Masters of apprentices complained of, may be bound by a Justice to appear at the next Sessions, if the matter in dispute cannot be settled. 5 Eliz. c. 4. s. 35.

The like with above 5l. four Justices at the Quarter Sessions may discharge the apprentice. 5 Eliz. c. 4. s. 35.

A master silk weaver in London and Middlesex having more than two apprentices at one time, over and above discharging the same, exceeding the number of two, for every offence shall forfeit 20l. to the Master of the Weavers Company for distressed journeymen weavers or their families, on oath of one witness, before two Justices, to be levied by distress. 13 G. 3. c. 68. s. 7. Justices may discharge all apprentices above two.

All indentures, covenants, promises and bargains, for having any apprentice otherwise than by this statute is limited, shall be void in the law. And every person that shall take or retain any apprentice contrary to the tenor of this act, shall forfeit for every such apprentice 10l. to be recovered by action in a Court of Record, half to the King, and half to prosecutor, or if within any City, then as by charter. 5 Eliz. c. 4. s. 39, 41, 45.

In all indentures the full sum is to be inserted in words at length, and the same shall bear date on the day of the execution thereof, on pain that the master shall forfeit double the sum given, to be recovered by action in the Courts of Record, half to the King, and half, with full costs, to the prosecutor. N. B. At any time after the executing such indenture, and within one year after the time limited for the service of such apprentice. 8 Ann. c. 9. s. 35.

All indentures, &c. wherein shall not be inserted the sum, directly, or indirectly given, or whereupon the duties shall not be paid, or which shall not be stamped within one month if in London, or two months if elsewhere, shall be void,

void, &c. and the apprentice incapable of being free, or exercising the trade, &c. 8 Ann. c. 9. f. 36, 37, 39.

Any master neglecting to pay the duties within the time limited, shall forfeit 50*l.* to be recovered by action in the Courts at Westminster, half to the King, and half, with full costs, to prosecutor. 9 Ann. c. 21, f. 66. and by 18 G. 2. c. 22. f. 24. he shall forfeit, besides all other penalties, double duty to be recovered and applied as above.

If the child of a vagabond, above the age of seven years, be committed to the house of correction, the Justices at the Quarter Sessions may at any time before he be discharged, order him to be placed out as a servant or apprentice till twenty one, or for any less time, at their discretion. 17 G. 2. c. 5. f. 24. So that the time when a person may gain a settlement, is at the age of seven years and forty days. See SETTLEMENT.

Apprentices under fifteen who shall rob their masters, are excepted out of the act, which takes clergy from those who steal in house to the value of 40*s.* 11 Ann. stat. 1. c. 7. f. 2.

Any apprentice discovering and convicting two or more persons guilty of clipping, coining, counterfeiting, washing, filing, or otherwise diminishing the coin, shall be declared a freeman, and may exercise any lawful trade, profession or mystery, with all the liberties and privileges as if he had served full time. 6 & 7 W. 3. c. 17. f. 12.

No master, &c. of crafts shall compel, or cause any apprentice or journeyman, by oath or bond, or otherwise, that he after his apprenticeship, &c. shall not set up any shop, &c. nor by any means exact or take of any such apprentice, &c. after their years are expired any sum, &c. concerning their freedom or occupation upon pain of forfeiting 40*l.* to be recovered by action of debt in a Court of Record, half to the King, and half to the prosecutor. 28 Hen. 8. c. 5. f. 1.

Every master or owner of any vessel used in the sea service, from 30 ton to 50 ton, shall take one apprentice, and one more for the next fifty ton, and one more for each and every hundred ton such vessel shall exceed the burthen of 100 ton, on pain of forfeiting 10*l.* to be levied by warrant of two Justices, by distress, and paid to the poor of the parish whence such boy was bound apprentice, 2 & 3 Ann. c. 6. f. 8, & 18.

The person to whom any poor child shall be appointed to be bound an apprentice pursuant to 43 Eliz. c. 2. f. 1.

shall receive and provide for such child according to the indenture signed and confirmed by two Justices of the peace, and also execute the other part of the same indenture, and on refusal, oath being made thereof by one of the Churchwardens or Overseers, &c. before two Justices, he *shall forfeit 10l. to the poor, to be levied by distress.* 8 & 9 W. 3. c. 20. s. 5. (Persons aggrieved may appeal to the Sessions.)

See FOUNDLING. SETTLEMENT.

AQUA VITÆ. See DISTILLER.

ARRACK. See BRANDY, SPIRITUOUS LIQUORS. VESSEL.

ARRESTS. No person upon the Lord's Day shall serve or execute any writ, &c. (except for treason, felony, or breach of the peace) *but that it shall be void, and the person so serving, &c. shall answer damages to the party grieved, as if the same had been done without writ, &c.* 29 Car. 2. c. 7. s. 6.

On every process for an arrest the attorney's name must be indorsed. 2 G. 2. c. 23. s. 22.

Arresting a clergyman in any church or church-yard while he attends service, *shall be imprisoned and ransomed at the King's will, and make gree to the party arrested.* 1 Rich. 2. c. 15. s. 1. Nevertheless the arrest shall be good in law. *Vide. Watson, c. 34.* If any Bailiff be kept off from making an arrest, *he shall have an action of assault;* and if a Bailiff touches a man, which is an arrest, and he escape, *it is rescous, and an attachment may be had against him.* Com. Law. 1 Salk. 79.

A Bailiff, upon an arrest, ought to shew at whose suit, out of what Court the writ issues, and for what cause. But this is when the party arrested submits himself to the arrest. Com. Law. 9 Rep. 68, 69.

Every warrant issuing upon any writ, to arrest any person, shall have the same day and year set down thereon as on the writ, *under the forfeiture of 10l. to any one who will sue for it in any Court of Record, by action, &c.* 6 G. 1. c. 21. s. 54. & 9, & 10 W. 3. c. 25. s. 42.

If any person shall maliciously, or for vexation, or trouble, cause, or procure any person to be arrested, &c. at the suit, or in the name of any person where, indeed, there is no such person known, or without the assent of such person at whose suit such arrest shall be had, and shall be convicted, &c. by indictment, &c. or by the testimony of two witnesses, or other due proof thereof, *shall be imprisoned for six months, sans bail or mainprize, and before he shall be delivered, shall forfeit treble costs, &c. to the party arrested, and 10l. to the person*

person (if any) in whose name, &c. to be recovered by action, bill, or plaint in any Court of Record. 8 Eliz. c. 2. f. 4, 5.

No volunteer in his Majesty's service, as a soldier, shall be arrested, &c. excepting for some criminal matter, or real debt of 10*l.* oath of which debt must be first legally made, and the same to be marked on the back of the writ; and any person arrested contrary, *shall upon complaint, not only be discharged without fee, but recover costs by action. Mutiny Act.* The like in respect to a marine. 33 G. 2. c. 8. f. 38.

The like, &c. in respect to a seaman in his Majesty's service, unless for a real debt, &c. and unless affidavit be first made that debt or damage amounts to 20*l.* &c. as last. 1 G. 2. stat. 2. c. 14. f. 15. See BAILIFF.

ARMOUR. See EMBEZZLING.

ARSENY. See FIRE.

ARTIFICER. Artificers, callico-printers, handicraftsmen, miners, colliers, keel-men, pit-men, glass-men, potters, labourers, or others not fulfilling their contracts, or being guilty of any other misdemeanor, *shall, upon the oath of his master or his agent before one Justice, be committed to the house of correction, not exceeding three, nor less than one month. 6 G. 3. c. 25. f. 4, 5.* N. B. Persons aggrieved by the order of a Justice (except in cases of commitment) may appeal.

Such artificers and servants in husbandry complaining of their masters, &c. (provided the sum in question does not exceed 10*l.* with regard to any servant, nor 5*l.* to artificers, labourers, &c.) *upon complaint to one Justice, he shall order the payment of such wages to be levied by distress, if not paid in 21 days. 20 G. 2. c. 19. f. 1.* Persons aggrieved, &c. (as last)

Journeymen, labourers, apprentices or servants, gaming in any house, &c. wherein liquors are sold, *shall, upon oath thereof before a Justice, forfeit, not exceeding 20*s.* nor less than 5*s.* immediately, or be committed, not exceeding one month, unless sooner paid, one fourth to the informer, and remainder to the poor. 30 G. 2. c. 24. f. 15.* See GAMING and SABBATH.

Artificers, labourers or workmen, conspiring the time or manner of their work, shall upon conviction at the Sessions on oath of one witness, *forfeit 10*l.* and if not paid in six days, imprisonment with bread and water for twenty days. 2 and 3 Ed. 6. c. 15. f. 1.* See FOREIGN.

ASHES. Persons laying ashes, rubbish, &c. in the streets, *shall, upon*

upon view of a Justice, or on oath of one witness before a Justice, forfeit, not exceeding 10s. nor less than a moiety thereof, in default, to be levied by distress, and in default be committed to the house of correction to hard labour, not exceeding one month, sans bail or mainprize, or until payment, half to informer and half to poor. But if on view of the Justice, the whole to poor, &c. 32 Geo. 2. c. 16. s. 13. 18. 25. 26.

Persons unloading or throwing rubbish, &c. from any wharf or lighter, &c. into the Thames, shall upon view, &c. not being a member of the Trinity-house, or upon oath of one witness before one Justice, forfeit 40s. to be levied by distress, and in default be committed to house of correction, &c. not exceeding, &c. or until, &c. half to the informer and half to the poor of Trinity-house. *Idem* s. 11, 18. N. B. Information within 7 days.

Witnesses not appearing to the summons, or refusing to give evidence concerning any offence cognizable before a Magistrate by this act, shall forfeit the same to the poor, &c. &c. &c. as above, *Idem*. s. 21. 25. 26.

ASSAULTING a watchman or patrol, shall upon oath before a Justice forfeit not exceeding 5l. to the collectors of the tolls, to be levied by distress, and in default committed to hard labour not exceeding three months. 14 Geo. 3. c. 90. s. 11.

Any servant, workman, &c. assaulting his master, mistress, or any other that shall at the time of such assault, have the oversight of any such servant, or workman upon oath of two witnesses before two Justices shall suffer imprisonment not exceeding one year. 5 Eliz. c. 4. s. 21.

Assaulting in the public streets or highways, with an intent to spoil, &c. and shall spoil, &c. the garments, &c. of any person, shall be guilty of felony, and may be sent to hard labour on the Thames. 6 Geo. 1. c. 23. s. 11.

Assaulting with an attempt to rob. *The same*. 7 Geo. 2. c. 21. s. 1.

Assaulting or challenging to fight any person whatsoever, on account of any money won by gaming, &c. on conviction thereof, by indictment or information, exclusive of forfeiting all his goods, chattels, and personal estate whatsoever to the king, shall suffer imprisonment, sans bail or mainprize, in the common jail, for two years. 9. Ann. c. 14. s. 8.

Assaulting any collector of the tolls, in execution of his office, or passing through the turnpike, &c. without paying, shall, upon oath of one witness before a Justice, forfeit not exceeding 10l. nor less than 40s. immediately or give security for
ditto,

ditto, to be levied by distress, and in default commitment to the common gaol or house of correction, not exceeding three months unless sooner, &c. to be paid to the Surveyor for the repair of the roads, where, &c. 13 Geo. 3. c. 84. s. 75. See CHALLENGE.

ASSAY. See SILVER.

ASSESSMENTS. Where any person shall come into or occupy any house, land, or other premisses, out of, or from which any other person assessed shall be removed, or which at the time of making such rate was empty or unoccupied, the one removing from, and the other coming into, &c. shall be liable to pay a proportionable rate, which may be ascertained by two Justices. 17 Geo. 2. c. 38. s. 12.

True and just copies of all rates and assessments for the relief of the poor shall be fairly entered in a book provided by the Church-wardens and Overseers of every parish, &c. who shall take care that such copies be entered accordingly, within fourteen days after all appeals from such rates are determined; and shall put their names thereto; and every such book shall be preserved for public perusal, and be produced at the General or Quarter Sessions, when any appeal is to be heard or determined on pain of forfeiting for each offence (on oath within two Calendar months before two Justices) not exceeding 5l. nor less than 20s. to the poor, to be levied by distress. 17 Geo. 2. c. 38. s. 13, 14.

Churchwardens and Overseers, &c. shall give public notice in the church of every poor-rate allowed by the justices, &c. the next Sunday after allowed; and unless such notice shall have been given, the rate shall not be reputed valid and sufficient. 17 Geo. 2. c. 3. s. 1.

Such authorized persons, not permitting any inhabitant, &c. to inspect the rates at all seasonable times (paying 1s. for same), or refusing or neglecting on demand to give copies of same, or any part thereof forthwith (he paying at the rate of 6s. for every twenty-four names) shall forfeit 20l. to the party grieved, to be recovered by action in a court of record. 17 Geo. 2. c. 3. s. 2, 3. See HIGHWAY. SETTLEMENT.

ASSISTING. Any person assisting another lawfully committed for treason, or any felony, (except petit larceny) to escape, though no escape be made shall be guilty of felony, and to work on the Thames, &c. 16 Geo. 2. c. 31. s. 1. Prof. within one year.

The like for any crime not being treason, nor felony (or for any debt under 100l.) a misdemeanor, and liable to fine and imprisonment. *Idem. Idem.*

Conveying

Conveying any disguise, instrument or arms, without the knowledge of the keeper, with an intent to aid, &c. lawfully committed for treason or felony, &c. *shall be guilty of felony, and be sent to the Thames, &c. Idem. f. 2. Idem.*

The like for any crime not being treason, nor felony. *Fine and imprisonment. Idem. Idem.*

Assisting any prisoner to attempt to make his escape from the custody of any constable, &c. who shall then have the lawful charge of the said prisoner, in order to carry him to goal, for treason or felony, &c. *Felony, work on the Thames, &c. Idem. f. 3. Idem.*

ASSIZES. See SHERIFF.

ASSURANCE. See INSURANCE. SHIP.

ATTAIN. No Sheriff, &c. shall seize the goods of a prisoner under suspicion of felony, before the same be legally convicted or attainted thereof, *on pain of double the value thereof, to the party grieved, to be recovered by action of debt at common law. 1 Rich. 3. c. 3. f. 1.*

ATTEMPT. An attempt to break into a house is a misdemeanor. Common Law.

ATTORNEY. Persons in their own names or the names of others, suing, &c. as Attorney (for reward) without being admitted, &c. *(exclusive of being rendered incapable) shall forfeit 50l. with full costs of suit to the prosecutor to be recovered in the courts of record, &c. 2 Geo. 2. c. 23. f. 24. 25.---Pros. within 12 months.*

If any Attorney, being a prisoner, shall in his own or another's name sue, &c. *not only the proceedings shall be void, but both Attorneys shall be struck off the Roll, and incapacitated, &c. 12 Geo. 2. c. 13. f. 9.*

If any Attorney shall permit any one, unadmitted, &c. to use his name in the courts of General or Quarter Sessions, *he shall forfeit 50l. with treble costs to him who shall sue, &c. to be recovered in the Courts at Westminster, 22 Geo. 2. c. 46. f. 12. See CLERK.*

ATTORNM. Attornments of tenants unless made in consequence of some judgment in law or order of a court, or with the consent of the landlord, or to a mortgagee after mortgage forfeited, *shall be null and void, 11 Geo. 2. c. 19. f. 11.*

B.

BADGE. See **POOR.**

BAIL. No person shall be held to special bail upon any process of any superior court for less than 10*l.* but shall be served with process, &c. nor upon process of any inferior court, for less than 40*s.* 12. *Geo. 1. c. 29. §. 1.*

Demanding excessive bail in criminal cases, imposing excessive fines, and inflicting cruel and unusual punishments is deemed illegal by 1. *Wil. & M. Stat. 2. c. 2. §. 1.*

Persons arrested for manslaughter or felony, or suspicion thereof, being bailable by law, shall not be let to bail, except by two Justices (one of the Quorum) to be present at the time of bailment, 1 & 2 *P. & M. c. 13. §. 3. 6.* N. B. This not to restrain Justices in London and Middlesex, and Towns Corporate, &c. See **ACKNOWLEDGING** and **REPLEVISABLE.**

BAILIFFS. If any Sheriff or Bailiff shall carry any person arrested to any tavern, &c. without his consent, or to gaol, in less than twenty-four hours (unless he refuse to name a proper house) or charge him for wine, &c. save what he shall call for of his own free accord, or take a greater sum than the law allows, or shall exact a gratuity for keeping him out of gaol, or for lodging or diet, &c. than what shall be allowed as reasonable, &c. over and above such penalties or punishments, as he shall be liable unto by the laws now in force, shall for every offence forfeit 50*l.* to the party grieved, to be recovered with treble costs by action in the Courts of Westminster, 2 *Geo. 2. c. 22. §. 1. 14.*

Sheriffs shall give printed copies of the above clause to every Bailiff or other officer, and shall at the time of his giving security upon his entering into office, make it part of the condition of such, that he will shew and deliver a copy of the said clause to every person whom he shall arrest, &c. and permit him or any friend of his, to read the same, before any liquor or meat shall be called for, or shall be accounted guilty of a misdemeanor in the execution of the process and punished accordingly, 2 *Geo. 2. c. 22. §. 2.*

Bailiffs or other officers carrying or causing to be carried, any person under their arrest to any public or other house, and there permitting any liquor or victuals to be called for, before such clause shall be shewn, or read by or to the prisoner, (besides the breach of the condition of security, shall be, &c. (as last) 2. *Geo. 2. c. 22. §. 2. 14.* See **PRISONERS.**

Bailiffs of franchises shall make their returns to the sheriffs six days before their sessions *upon pain of forfeiting*, 20l. 42 Edw. c. 11. f. 1. See GAOLER.

BAIZE. See DYING.

BAKERS. Any person offending against the orders of persons empowered to set an assize, &c. upon bread, and shall be convicted on oath of one witness before a justice, he shall forfeit not exceeding 40s. nor less than 20s. and in default, within 24 hours, is to be levied by distress, and in default thereof commitment for 1 month unless, &c. 31 G. 2. c. 29. f. 3.

When an order is made for making bread of any other grain than wheat, or of mixed meal or flour, and bakers neglect to conform thereto, &c. shall forfeit in like manner not exceeding 5l. nor less than 20s. *Idem.* f. 20.

Bakers, (other than journeymen, &c.) knowingly using unwholesome ingredients in bread, such as allum, &c. or having them found in their possession, shall, upon oath of one witness, before one Justice, forfeit not exceeding 10l. nor less than 40s. or in default, commitment not exceeding one month nor less than 10 days, to be levied by distress in 24 hours, to the informer. *Idem.* f. 21, 30. & 13 G. 3. c. 62. f. 18.

Journeymen bakers, offending in ditto, shall, &c. forfeit not more than 5l. nor less than 20s. or in default, &c. *Idem.*---In both these cases the magistrate, out of the forfeitures, is to publish in the news-papers the offender's name, place of abode and offence.

Bread deficient in weight, shall, &c. forfeit not exceeding 5s. nor less than 1s. for every ounce; if less than one ounce, not exceeding 2s. 6d. nor less than 6d. to be levied, &c. 31 G. 2. c. 29. f. 24.

No assized and prized bread shall be sold at the same time in the same place, &c.

Every loaf exposed to sale as wheaten bread is to be marked with a large Roman W.

Every loaf as brown or household, with a large Roman H. on pain in either of the above cases of forfeiting, not exceeding 40s. nor less than 10s. within 24 hours, or to be levied by distress, and in default, to be committed to the common goal or house of correction for one calendar month, unless sooner paid; half to the informer, and half at the discretion of the Justices, for the better carrying the said act into execution, 3 Geo. 3. c. 11. f. 8. and 24. 13 G. 3. c. 62. f. 18.

Any baker making, baking, or exposing to sale any bread (purporting

(purporting to be standard wheaten bread) not being the whole produce of the wheat, (the bran or hull thereof only excepted) and not weighing three-fourth parts of the weight of the wheat, *shall be liable to the like penalties, &c. as by the laws now in-being, for any misdemeanour or neglect, in respect of making, marking, &c. wheaten or household bread.* 13 G. 3. c. 62. f. 5.

But if he shall prove that he bought the flour whereof, &c. as, and for such flour, of the miller or mealman, naming his name and place of abode; then the baker shall stand acquitted, and the, &c. so offending, and being legally convicted, *shall forfeit the penalties directed in case of adulterating meal, by 31 G. 2.---13 G. 3. c. 62. f. 6.*

BALLANCE. See WEIGHTS.

BANK. If any officer or servant of the governor, &c. of the Bank, being intrusted with any note, bill, dividend warrant, bond, deed, or any security, money, or other effects belonging to the said Company, shall secrete, embezzle, or run away with the same, *shall suffer death, sans clergy.* 15 G. 2. c. 13. f. 12.

If any such, having any bill, &c. of any other person deposited with the said Company, or with him as an officer or servant of ditto, shall, &c. as above, *shall suffer death, sans clergy. Idem.*

Persons making or aiding therein, or having in their possession moulds, frames, &c. for forging paper notes, with the words BANK OF ENGLAND, visible in the substance of such paper, is *felony, sans clergy.* 13 G. 3. c. 79. f. 1.

Engraving, cutting, or etching in mezzotinto, notes to resemble inland bills, bills of exchange, promissory notes, &c. or part thereof, containing the words BANK OF ENGLAND, or BANK POST BILL, or any word expressing the sum, or any part thereof, in white letters or figures, on a black ground, or publishing the same, *shall upon conviction, be committed to the common goal, &c. not exceeding 6 months.* 13 G. 3. c. 78. f. 2.

This Act does not extend to persons, who being possessed of such notes, shall only utter the same for payment, &c. to the issuer, drawer, acceptor or indorser thereof. *Idem.* f. 3.

Persons altering or counterfeiting Bank Notes, or offering the same, *shall suffer death sans clergy.* 15 G. 2. c. 13. f. 11.

BANKRUPT. A Bankrupt not surrendering himself to the Commissioners,

missioners, and submitting to be examined from time to time upon oath, conformable to the statutes concerning *Bankrupts*, &c. or shall embezzle to the value of 20*l.* shall upon being convicted by indictment or information, be guilty of felony, sans clergy, 5 Geo. 2. c. 30. f. 1. & 12 Geo. 3. c. 47. f. 1.

Every person who shall have accepted any trust, and shall conceal any estate of the *Bankrupt*, and shall not in 42 days after issuing the commission and notice thereof in the London Gazette, discover the same in writing, to one or more Commissioners or Assignees, &c. and shall submit himself to be examined, &c. he shall forfeit 100*l.* and double the value of the estate concealed with full costs to the creditors, to be recovered by action in the Courts of Record at Westminster, 5 Geo. 2. c. 30. f. 21. & 12 Geo. 3. c. 47. f. 1.

If any person shall swear that any sum is due to him from the *Bankrupt*, which is not due, or more than is due, being convicted by indictment, he shall suffer as in cases of perjury, and forfeit double the sum sworn to, to the creditor, &c. 5 Geo. 2. c. 30. f. 29. & 12 Geo. 3. c. 47. f. 1.

Commissioners may examine upon oath a *Bankrupt's* wife, and she shall incur such danger and penalty for not coming before them, or for refusing to be sworn, or for not disclosing the truth upon her examination, as is made against any other person who, &c. 21 Jac. 1. c. 19. f. 6.

Gaolers wilfully suffering any bankrupt to escape, or to go without the walls or doors of the prison, until he shall be duly discharged, upon conviction by indictment, he shall forfeit 500*l.* to the use of the creditors. 5 Geo. 2. c. 30. f. 18.

BANKS. See FENCES.

BARK. Condemned oak bark, and all penalties and forfeitures whatsoever, are recoverable by action of debt, &c. in the Courts of Record at Westminster, in the name of the Attorney General, or of the officer who shall seize the same, half after charges deducted to the King, and half to the prosecutor, &c. 12 Geo. 3. c. 50. f. 14.

No person shall fell oaken trees meet to be barked, where bark is worth 2*s.* a cart load, over and above the charges of barking and pilling (timber to be employed to or for the necessary building and repairing of houses, ships, or mills, only excepted) but between the first of April, and the last of June, on pain of forfeiting such oaken tree, or double value thereof, one third to the King, one third to the prosecutor, and the other third to the city, &c. where offence was committed, to be recovered by action in the Courts of Record, 1 Jam. 1. c. 22. f. 20. **BARK-**

BARKING. Wilfully cutting, barking, damaging, &c. or carrying away any poplar, alder, birch, maple, and hornbeam, without the consent of the owner, &c. *on oath of one witness, before one justice, shall forfeit (for the first offence) not exceeding 20l. with charges, in default commitment to the common goal, sans bail, &c. not exceeding twelve, nor less than six months, or until, &c. for the second offence not exceeding 30l. and in default, &c. not more than eighteen, nor less than twelve months; and for the third offence, to be sent to the Thames, &c.* 13 Geo. 3. c. 33. f. 1. & 6 Geo. 3. c. 48. f. 1.

Wilfully or unlawfully barking any apple trees, pear trees, or other fruit trees, of any other person, *shall forfeit treble damages to the party grieved, and 10l. to the King, to be recovered by action of trespass,* 37 Hen. 8. c. 6. f. 4.

BARRELS. Coopers are to make vessels for beer or ale to be put to sale, of good and seasonable wood, and put his proper mark upon every of them; every barrel for beer to contain 36 gallons, for ale 32, every kilderkin for beer 18, for ale 16, and every firkin for beer 9, for ale 8, of the King's standard gallon, and shall not make barrels of any other measure, unless he mark the number of gallons thereon, *upon pain to forfeit for every such barrel, &c. 3s. 4d. half to the King, and half to him who shall sue by action, &c.* 23 Hen. 8. c. 4. f. 2.

And no beer brewer, nor ale brewer, shall put their beer or ale to sale to any person to be spent and occupied within this realm in any other barrel, &c. other than made and marked as above, upon pain, &c. (as last) *Idem* f. 4.

BASTARD. Any woman having a bastard, which may be chargeable to the parish, *shall be committed to the house of correction to be punished and set on work for one year, by the justices of peace (supposed to mean 2 at least)* 7 Jam. 1. c. 4. f. 7. N. B. The punishment to be when child born and mother strong again.

The reputed father of a bastard child, unless he shall give security to indemnify the parish, &c. or shall enter into a recognizance with sufficient surety to appear at the next General or Quarter Sessions, *the Justice may commit him immediately to the common goal or house of correction,* 6 Geo. 2. c. 31. f. 1. N. B. The parish where the child is born, is only to be indemnified; and if the bastard has acquired a settlement in another, the father is discharged.

Two Justices, one to be of the Quorum, may order under their hands, the mother and reputed father of a bastard child

to

to be charged for its relief, with the payment of the money weekly, or other sustentation, and in default *to be committed to the common goal, sans bail or mainprize, except sufficient security be given to perform, &c. or else personally to appear, &c.* 18 Eliz. c. 3. f. 2. N. B. Woman must have been delivered one month.

The mother of a bastard child concealing its death, whether it were born alive or not, *shall suffer death*, except she can prove by one witness at the least, that the child was born dead. 21 Jam. c. 27. f. 2.

Bawdy-House. If any two inhabitants of any parish, &c. do give notice in writing to a constable, &c. of any person keeping a bawdy-house, gaming-house, or other disorderly house; such constable shall forthwith go with such inhabitant to a Justice, and shall (upon their oath before him that they believe the contents of such notice to be true, and entering into a recognizance in the penal sum of 20*l.* each, to give or produce material evidence against such person, for such offence), enter into a recognizance in the penal sum of 30*l.* to prosecute with effect, such person, at the next General or Quarter Sessions of the peace, or next Assizes, &c. and in case such person shall be so convicted, &c. the overseers of the poor of such parish shall forthwith pay 10*l.* to each of such inhabitants. 25 Geo. 2. c. 36. f. 5. made perpetual by 28 Geo. 2. c. 19. f. 1.

Any person who shall at any time act or behave him or herself, as master or mistress, or as the person having the care, government, or management of any bawdy-house, &c. shall be deemed the keeper thereof, and shall be liable, &c. as such, notwithstanding he or she be not the real keeper thereof. 25 Geo. 2. c. 36. f. 8.

And if any overseer shall neglect or refuse to pay to such constable or other officer the expences of such prosecution, or shall neglect or refuse to pay upon demand, the said sum of 10*l.* and 10*l.* *he shall forfeit double the sum so refused, or neglected to be paid, to the person intitled to the same, to be recovered by action of debt in the Courts of record Westminster. Idem. f. 5. 13.* Plaintiff to have full costs.

BEADLES. Beadles shall twice or oftner, on every night of their watching, patrolle in and through all the squares, streets, &c. and see to the behaviour of the patroles, and other watchmen, and make true reports, &c. to the constable of the night, &c. 14 Geo. 3. c. 90. f. 16.

BEER

BEER. No retailer of beer, &c. shall after the receipt thereof from the common brewer, mix any beer, &c. of extra strength with any small beer, ale, or worts, in any vessel containing 3 gallons or more, upon pain to forfeit for every barrel so mixt double the duty of excise for strong, &c. and so proportionably. 22 & 23 Car. 2. c. 5. f. 11. Vide Excise Laws, for application, &c.

If any common brewer or innkeeper, shall, upon carrying out his drink, or after it is carried out, mix small beer, or small worts with strong, &c. *shall forfeit 5l. 7 & 8 W. 3. c. 30. f. 23.* Vide Excise Laws.

No common brewer, innkeeper, victualler, or other retailer of ale or beer, shall use or keep any private storehouse, cellar, or other place for laying of any beer, &c. or worts in casks, &c. *upon pain to forfeit 50l. for every such, and the things themselves to the poor.* 15 Car. 2. c. 11. f. 1. & 1 W. & M. 1 W. & M. f. 1. c. 24. f. 11. Vide Excise Laws.

Every other person, in whose occupation any such place shall be, *shall forfeit 50l.* 15 Car. 2. c. 11. f. 1. *Vide Idem.* See ALEHOUSE, BREWERS, and GAUGERS.

BELL-METAL. See BRASS.

BILLINGSGATE. See WHERRY.

BILLS OF EXCHANGE. In case any inland bill of exchange, shall be lost or miscarried, within the time limited for payment thereof, the drawer shall give another bill of the same tenor, &c. the person to whom the said bill shall be so delivered giving security, if demanded, to the said drawer, to indemnify him, &c. in case the bill so alledged to be lost, &c. shall be found again. 9 & 10 W. 3. c. 17. f. 3.

If any person accepts any bill of exchange, for, and in satisfaction of any former debt, &c. the same shall be deemed a full payment thereof, if such person accepting same, doth not take his due course to obtain payment thereof, by endeavouring to get the same accepted and paid, and make his protest, &c. either for non-acceptance or non-payment thereof. 3 & 4 Ann. c. 9. f. 7.

BIRTHS. See OFFICE.

BLACK-ACT. See ACT BLACK.

BLASPHEMY. If any person shall in any stage-play, &c. jestingly or profanely, use the holy name of God, or Christ Jesus, or of the Holy Ghost, or of the Trinity, *he shall forfeit 10l. half to the King, and half to him that shall sue by action in the Courts at Westminster.* 3 Jam. 1. c. 21.

If any person having been educated in, or at any time having made profession of the Christian Religion, within this realm, shall by writing, printing, teaching, &c. deny the Holy Trinity; or assert there are more Gods than one, or deny the Christian Religion to be true, or the Holy Scriptures to be of divine authority; and shall upon indictment, &c. in any Court of Record, be convicted by the oath of two witnesses, for the first offence, *shall be adjudged incapable to enjoy any office ecclesiastical, civil or military, &c. and for the second offence shall be disabled to sue, &c. or to be guardian or executor, &c. or capable of any legacy, &c. and be imprisoned for 3 years, sans bail or mainprize.* 9 & 10 W. 3. c. 32. s. 1, 2, 3. N. B. No person to be prosecuted for such offence, &c. unless information thereof be given upon oath, before a Justice, within 4 days after such words spoken, and the prosecution be within 3 months after such information; and any one for the first offence, (on renouncing his opinion in 4 months after conviction), shall be discharged from all penalties, &c.

BLEACH. See COTTON.

BOAT. If any person shall use, let out to hire, lend or navigate, or shall be aiding therein, any bum-boat, &c. for the purpose of selling, bartering, &c. among the seamen, &c. employed in and about ships, &c. any liquors, slops, &c. or other such like ware, (other than, and except, such bum-boats, &c. as shall be entered in the office of the brotherhood of Trinity, &c. and shall be used and navigated for the purposes aforesaid, in the day-time, between sun-rising and sun-setting only); shall for the first offence, *upon oath of one witness, before one Justice, exclusive of the same, forfeit 40s. to be levied by distress, and in default, be committed to the common goal, or house of correction, sans, &c. for 1 month; half to the informer, and half to the poor of Trinity House.* 2 Geo. 3. c. 28. s. 1. 10.

Persons rowing or navigating any such boat for the purposes aforesaid, not being entered, marked, and numbered, according to the order of the Trinity Company, or having a false or fictitious number or mark, *shall upon oath of 1 witness, before one Justice, forfeit 40s. half, &c. (as last) and unless paid within 24 hours after conviction, the boat, &c. to be sold, &c.* 2 Geo. 3. c. 28. s. 15. Upon discovery of the offence the boat, &c. may be seized, and within 48 hours, information is to be given to a justice.

Per-

Persons obstructing the execution of this act, shall upon conviction at the Quarter Sessions be sent to the Thames, &c.

2 Geo. 3. c. 28. f. 19.

Boats, &c. rowing, or made to row, with more than four oars, which shall be found upon the water, or in any barge-house, workhouse, &c. within Middlesex, Surry, Kent, or Essex, or in the river Thames, or within the ports of London, Sandwich or Ipswich, or creeks, &c. of them respectively (exclusive of the same being destroyed, &c.) the owner or any person using the same, together with the tackle, furniture, and apparel of ditto, shall forfeit 40*l.* half to the King, and half to him who shall sue, to be recovered by action in the Courts of Record at Westminster. 8 Geo. 1. c. 18. f. 3. 23.

See CABLES, CORDAGE, WATERMAN, BOG-HOUSE. If any person shall come with any cart, &c. or begin to empty any bog-house, or take away any night-soil, from any house within, &c. (vide the act) before 12 at night, or shall continue to take away the same after 6 in the morning, from Michaelmas to Lady-day, or after 5 from Lady-day to Michaelmas; constables, beadies, and watchmen, &c. are strictly required to apprehend such persons, and carry them to such watch-house as they shall think proper, and from thence to conduct them as soon as conveniently may be, before some Magistrate, who shall upon oath thereof, commit such person, &c. to the house of correction to hard labour, not exceeding 3 months, nor less than 10 days. N. B. The Commissioners to order any sum not exceeding 20*l.* nor less than 5*l.* at any meeting, &c. to the person apprehending, &c. 11 Geo. 3. c. 22. f. 68.

Or if any person shall put or cast, or cause to be put or cast, out of any cart, tub, or otherwise, in or near any of the squares, streets, lanes, courts, yards, mews, alleys, passages, and places within the limits, (vide the act) or within half a mile thereof, any such night-soil, constables, &c. are strictly required to apprehend, &c. Idem.

BONE-LACE. See EMBROIDERY, and FRINGE.

BOOKS. No person shall bring from beyond seas, or print, sell, or buy, any popish or superstitious book, printed or written, in any language whatsoever, shall forfeit for every such book, 40*l.* one third to the King, one third to the prosecutor, and one third to the poor, &c. to be recovered by action in the Courts of Record, and the said books to be burned. 3 Jam. 1. c. 5. f. 25.

Shop-book. No tradesman or handicraftsman, keeping a shop-book, shall be allowed to give the same in evidence, in any action for any money due for wares, or work done, above one year before the same action brought, except he, his executor or administrator, shall have obtained bill of debt, or obligation of the debtor for the debt, or shall have brought an action within one year, after the same wares delivered, money due for the same, or work done. 7 *Jam.* 1. c. 12. f. 1. Nothing of this act shall extend to any intercourse of traffick between merchant and merchant, or tradesman and tradesman, &c. f. 2.

BOOTH. See ACCESSARY and ROBBERY.

BRANDY. Landing any French brandy before the duty be paid or secured, or without license from the proper officer so to do, and aiding therein, or concealing the same when landed, *exclusive of the same, shall forfeit double the value, half, after charges deducted, to the King, and half to the informer, who shall sue in any Court of Record.* 1 *Ann.* st. 2. c. 14. f. 2.

And if any officer of the customs or excise, &c. shall connive at, or be concerned in, any such clandestine importation, or after the information thereof, shall conceal the same, or shall compound without license, &c. *exclusive of being incapable to hold any office in the revenue, shall forfeit 500*l.* to be recovered, &c.* (as last), *Idem.*

No brandy shall be imported in any vessel or cask, not containing 60 gallons, *on pain of forfeiting the same, or the value thereof, to be recovered by action in the Courts of Record at Westminster, half to the King, and half to the prosecutor.* 4 *W. & M.* c. 5. f. 8.

Importing any foreign brandy, arrack, rum, strong waters, or spirits of any kind whatsoever, in any vessel, &c. of the burthen of 100 tons or under, (except only for the use of the seamen then on board, &c. not exceeding two gallons for every such seaman), every such vessel, &c. with all the tackle, &c. and also all such liquors, or the value thereof, *shall be forfeited, half to the King, and half to the prosecutor, to be recovered by action in the Courts of Record at Westminster.* 5 *Geo.* 3. c. 43. f. 27.

The 6 *Geo.* 3. c. 46. f. 9. excepts rum, or other spirituous liquors, of the growth and manufacture of the British sugar plantations, which may be imported in any vessel of not less burthen than 70 tons.

Vessels of 50 tons or under, in part, or fully laden with brandy, being at anchor, or within two leagues from the shore, and not proceeding on her voyage, wind and weather permitting, *shall be liable in all cases, as ships hovering within the limits of any port.* 6 Geo. 1. c. 21. f. 31. See SPIRITUOUS LIQUORS. VESSEL.

BRASS. None shall cast or work any pewter vessel, or brass, for sale, but what shall be as good fine metal as is cast and wrought in London, *on pain of forfeiting the same, half to the King, and half to the finder.* 19 Hen. 7. c. 6. & 25 Hen. 8. c. 9. f. 6.

Makers of such wares shall mark the same with several marks of their own, and if found in their possession not so marked, *to be forfeited, half to, &c.* (as last). *Idem.*

If the same unmarked wares shall be sold, the maker *to forfeit the value thereof, half, &c.* (as last). *Idem.*

Using any deceitful or false weights or beams, in the buying or selling of same, *inclusive of the beams, to him that shall seize them, shall forfeit 20s. half to the King, and half to the prosecutor, to be recovered by action of debt, and in default, the head officer of the place where the offender shall be found, to set him into the stocks and pillory.* *Idem.*

Persons having in their possession, any lead, iron, copper, brass, bell-metal, or solder, and not accounting satisfactorily for the same; shall *(for the first offence), (by 2 Justices), forfeit 40s. for the second, 4l. and for every other 6l. half to the informer, and half to the poor, to be levied by distress, and in default, commit. sans bail, &c. for one month for the first offence, for the second two months, and for every other 'till discharged by order of the General or Quarter Sessions.* 29 Geo. 2. c. 30. f. 6.

Persons buying or receiving any ditto, knowing the same to have been stolen, *shall be sent to the Thames, &c.* 29 Geo. 2. c. 30. f. 1. N. B. Although the principal felon has not been convicted.

If any one hath committed any felony, by the stealing any ditto, and shall discover two or more persons, who have knowingly bought and received the same, *so as they shall be convicted thereof, he shall have pardon, for all crimes committed before discovery made.* 29 Geo. 2. c. 30. f. 1. 8.

And if any one concerned in stealing any ditto, shall, (being out of prison), discover any person, to whom he shall have offered to sell, pawn, or deliver the same, *so as such person be convicted of the misdemeanour of not apprehending,*

ing, securing, and carrying him before a Justice, &c. *he shall not be liable to be prosecuted for stealing the same.* 29 Geo. 2. c. 30. f. 9.

If it shall appear upon oath of any person, (notwithstanding such person was concerned in stealing same) if corroborated with other credible circumstance, to the satisfaction of two magistrates, that there was reasonable cause to suspect, &c. and that the person to whom the same was brought or offered, did not (having it in his power so to do) apprehend, secure, and carry before a Justice, &c. the person who brought or offered the same, &c. *he shall be adjudged guilty of a misdemeanor, and forfeit for the first offence 20s. for the second 40s. and for every other 4l. half to the informer, and half to the poor, to be levied by distress, and in default, commit. sans bail, for one month for the first offence, two months for the second, and for every other, 'till discharged by order of the General or Quarter Sessions.* 29 Geo. 2. c. 30. f. 5.

BREAD. See BAKERS.

BREAKING-HOUSE. See ATTEMPT and HOUSE-BREAKING.

BREWERS. Common brewers, who do not once a week make due entries, *shall forfeit 10l. see Excise laws for application,* &c. 12 Car. 2. c. 24. f. 30.

If any common brewer shall keep any pipe or stop-cock under ground, or any other private conveyance, by which any beer, ale, or worts, may be conveyed from one vessel to another, or shall have any hole in any tun, &c. by which the same may be conveyed into, or out of the same, *shall forfeit 100l. vide Idem.* 8 & 9 W. 3. c. 19. f. 4.

If upon search none be found, officer shall make satisfaction for walls broken, &c. in search, and any person opposing officer in the day time, and in the presence of a constable, in search of such pipe, or other conveyance, *shall forfeit 50l. and costs, vide Idem.* f. 5, 6.

If any common brewer shall alter the position of his brewing utensils, after the same hath been set up and fixed, without giving notice thereof in writing to the officer; or shall by any means prevent or hinder, the gauger from taking true dips and gauges of beer, ale, or worts, &c. *shall forfeit 20l. vide Excise laws.* 5 Geo. 3. c. 43. f. 25.

Every person in whose occupation any house, out-house, or other place shall be, where any private tun, fat, back, cooler, or copper, shall be found, *shall forfeit 50l. vide Excise laws.* 15 Car. 2. c. 11. f. 1.

If any common brewer shall, without notice given at the next office of excise, set up, or alter any ditto, &c. as above, or have any of them private or concealed, *shall forfeit 200l. vide Idem. 8 & 9 W. 3. c. 19. f. 8.*

Any common brewer, innkeeper, or victualler, on request or demand made by the gauger in the day-time, or in the night, in the presence of a constable, refusing to permit him to come into his brewhouse, &c. and to take an account, *shall forfeit 20l. vide Idem. 7 & 8 W. 3. c. 30. f. 22.*

Any common brewer, distiller, maker, or retailer, of any exciseable liquor, opposing the gauger, or after warning given, selling or delivering out the same, not having cleared the duties of excise, *besides the forfeiture of double the value, shall forfeit 10l. vide Idem. 12 Car. 2. c. 24. f. 33.*

If any common brewer, innkeeper, or victualler, shall cleanse or remove out of his brewhouse, any part of his guile, &c. before the whole is brewed off, &c. and the gauger shall or might have taken an account, &c. without first giving notice thereof, &c. *for every barrel he shall forfeit 40s. vide Idem. 7 & 8 W. 3. c. 30. f. 21.*

Any common brewer after declaration, &c. making any increase to the strong beer, or ale, &c. for every barrel so increased, *he shall forfeit 5l. and his servant assisting 20s. and in default, 3 months imprisonment. vide Idem. 8 & 9 W. 3. c. 19. f. 2.* N. B. He is to declare to the gauger, how much strong beer, or ale, he intends to make of such guile, and how much small, before any part of same, is removed out of his tuns, &c. *on pain of forfeiting 20s. for every barrel.*

If any brewer, innkeeper, victualler, or retailer of beer, &c. shall mix strong beer with small, after an account has been taken by the gauger, without giving notice thereof, or shall conceal any beer, wort, &c. not gauged, from the sight of the gauger, &c. *he shall forfeit for every barrel 20s. 15 Car. 2. c. 11. f. 12. & 1 W. 3. sess. 1. c. 24. f. 11.*

The like, or otherwise however, any strong beer, &c. with, &c. after gauge shall have been taken, *shall forfeit 50l. vide Excise laws. 2 Geo. 3. c. 14. f. 2.*

No common brewer shall sell, deliver, or carry out, any beer or ale, to any customers, either in whole casks, or by the gallon, in any city or market town, before notice given, &c. but between 3 in the morning, and 9 in the evening, from March the 25th, to September the 29th, and between 5 in the morning, and 7 in the evening, from the 29th of September,

September, to the 25th of March, upon pain of forfeiting for every barrel 20s. *vide Idem.* 15 Car. 2. c. 11. f. 11.

If any common brewer, or maker of cyder for sale, shall deliver to any distiller, or vinegar maker, any wash, tilts, ale-beer, vinegar-beer, or cyder, without first giving notice to the gauger, what quantity, &c. he intends to deliver, and when, and to whom, he shall forfeit for every barrel 20s. *vide Idem.* 8 & 9 W. 3. c. 19. f. 9.

If any brewer, or any other person, shall brew with unclean hops, he shall forfeit the value of those hops so employed. *vide Idem.* 1 Jam. 1. c. 18. f. 3.

No common brewer, innkeeper, or victualler, shall use any broom, wormwood, or any other bitter ingredient, (to serve instead of hops), in brewing any beer, or ale, for sale, under the penalty of forfeiting 20l. *vide Idem.* 9 Ann. c. 12. f. 24. 26.

No common brewer, or retailer of beer, or ale, shall use any melasses, coarse sugar, honey, or composition, or extract of sugar, in the brewing or working such ale, or beer, under the penalty of 100l. *vide Idem.* 11 W. 3. c. 21. f. 34.

If any ditto, shall receive or take into his custody or possession, any quantity of ditto, exceeding 10lb, shall forfeit 100l. *vide Idem.* *Idem.*

Every servant of such brewer, and every other person, who shall be aiding, &c. in the using of any ditto, or in the conveying the same into the house, brewhouse, or other place belonging to such brewer, shall forfeit for every such offence 20l. and in default thereof, 3 months imprisonment. *vide Idem.* *Idem.*

Brewers selling beer to unlicensed publicans, shall forfeit 6s. & 8d. per barrel. *vide Idem.* 4 Jam. 1. c. 4. f. 1. See BARRELS, BEER, and INFORMATION.

BREW-HOUSE. Any person inhabiting in any market-town, or in any city or town corporate, or parts adjoining thereto, where there is a common brewhouse, using any private brewing vessels, or suffering any ale, beer, or worts, to be brewed therein, or lending the same, unless such as are moveable, and unfixed, other than for his own family, shall forfeit 50l. half to the King, and half to the prosecutor, to be recovered by action in the Courts of Record in the County, &c. 22 & 23 Car. 2. c. 5. f. 10. Prosecution to be within 6 months.

BRIBERY. See JUROR.

BRIDGES,

BRIDGES. Such part of the highways as lye next to the ends of any bridge, shall be repaired by the inhabitants of the shire, cities, or towns corporate, where such bridge is, *at the discretion at least of 4 Justices in the General Sessions, whereof one to be of the Quorum.* 22 Hen. 8. c. 5. f. 3, 9.

BRIEFS. Every minister, curate, teacher, preacher, churchwarden, chapel-warden, and quaker qualified, &c. who shall refuse or neglect to do any thing required of them relative to briefs, *shall forfeit 20l. to the sufferers, to be recovered by action.* 4 Ann. c. 14. f. 1. 5.

Counterfeiting the stamps on ditto, *shall stand in the pillory for one hour; to be prosecuted as last.* Idem f. 3.

Any one farming, or purchasing any charity-money on ditto, *(exclusive of such covenant, &c.) shall forfeit 500l. for the benefit of the sufferers, to be recovered, &c. as last.* Id. f. 6.

BROKER. If any broker, not being a trading goldsmith, or refiner of silver, shall buy or sell any bullion, or molten silver, *he shall be imprisoned 6 months, sans bail or mainprize.* 6 & 7 W. 3. c. 17. f. 7.

BROOM. Vide BREWER.

BUGGERY. Buggery with mankind, or beast, *is felony sans clergy.* 25 Hen. 8. c. 6. f. 1.

BUILDING. Unlawfully and with force demolishing, &c. any building for religious worship, or any dwelling house, barn, stable, or other out-house, or beginning to demolish the same, *is felony, sans clergy,* 1 Geo. 1. c. 5. f. 4. See PARTY-WALLS.

BULL. See COW:

BULLION. Casting ingots, or bars of silver, in imitation of Spanish ditto, or stamping them in likeness of them, *shall forfeit the same, and also 500l. half to the King, and half to the prosecutor, to be recovered by action of debt.* 6 & 7 W. 3. c. 17. f. 3. See BROKER.

BUOYS. See CABLES.

BURGLARS. If any person shall enter into any mansion or dwelling house, by day or night, without breaking the same, with an intent to commit felony, or being in such house, shall commit the same, and shall in the night-time break the said house, to get out of the same, *he shall be adjudged guilty of burglary, and to be ousted of the benefit of his clergy.* 12 Ann. f. 1. c. 7. f. 3.

Receiving, harbouring, or concealing any burglar, felon, or thief, *is upon oath of one witness, felony.* 5 Ann. c. 31. f. 5.
The

TO BURGLAR. The charges of prosecuting and convicting a burglar, shall be paid by the treasurer of the county, where the burglary was committed, on producing to him the order of the court for that purpose. 25 Geo. 2. c. 36. f. 11.

If any burglar, or any person guilty of breaking, or entering any house in the day-time, being out of prison, shall discover two or more persons who have committed any such burglaries or felonies, so as two or more of them shall be convicted, &c. any such discoverer shall have within 1 month after conviction, a reward of 40l. and all other advantages, &c. and shall also be intitled to pardon of, &c. for all burglaries, robberies, and felonies, (except murder and treason), by him committed, at any time before such discovery made, which pardon shall likewise be a good bar to any appeal, &c. 5 Ann. c. 31. f. 4. See REWARDS.

BURGLARY. Is where a man breaketh and entereth the house of another, where some person is, in the night-time, to the intent to commit some felony, whether the intention be executed or not. 4. Co. 39.

BURNING. See FIRING.

BURYING. No corpse shall be buried in any thing whatsoever, other than what is made of sheeps wool only, &c. on pain of 5l. to be recovered by warrant of a Justice, half to the poor, and half to the informer. 30 Car. 2. c. 3. f. 3. 5. N. B. Affidavit to be made within eight days after burial, &c. f. 4.

The parson, church-wardens, &c. or chief magistrate, neglecting their duty therein, &c. shall forfeit 5l. to be recovered by action, one fourth to the King, two fourths to the poor, and one fourth to the informer. 30 Car. 2. c. 3. f. 6.

BUSHELL. See WEIGHTS.

BUTCHER. No butcher shall sell, offer, or expose to sale, any fat oxen, steers, runts, kine, heifers, calves, sheep, or lambs alive, on pain of forfeiting double the value of such cattle, half to the King, and half to him who will sue for the same, by action in the Courts of Record. 15 Car. 2. c. 8. f. 2.

No person shall buy any ox, steer, runt, cow, heifer, or calf, and sell the same alive in the same market or fair, on pain of, &c. (as last), 3 & 4 Edw. 6. c. 19. f. 1. 4. 3 Car. 1 c. 4. f. 7.

BUTTER. Packing up for sale, and not putting upon every firkin or cask, a visible mark of the just weight of the empty cask, &c. for every 100lb. weight thereof, and so in proportion, shall forfeit 10s. half to the poor, and half with double costs, to

the prosecutor, to be recovered at the Sessions, &c. 13 & 14 Car. 2. c. 26. f. 5, 6.

The factor or buyer, shall set his seal or mark upon cask, or butter, or his name at length, and if same shall afterwards be exchanged or mixed by the seller, he shall for every firkin of ditto, upon oath made, before a Justice, forfeit 20s. half to the poor, and half to the informer, to be levied by distress.

4 W. & M. c. 7. f. 3.

Buttons. If any person shall wear on any cloaths, &c. any buttons, or button-holes, made or bound with cloth, &c. he shall forfeit 40s. per dozen, half to him, on whose oath before a Justice he shall be convicted, and half to the poor, to be levied by distress. *7 Geo. 1. stat. 1. c. 12. f. 1, 2.*

Every person who shall import foreign buttons, shall forfeit the same, and 100l. and every person who shall sell, or cause to be sold, or offer to sale any foreign buttons, shall forfeit for every such offence (exclusive of the same) 50l. in both which cases, half shall go to the King, and half to him who shall sue by bill, &c. in the Courts of Record. *13 & 14 Car. 2. c. 13. f. 2. 4. & 4 W. & M. c. 10. f. 2.* N. B. The prosecution to be within 12 months.

BYE-LAWS. No Masters or Wardens of Fellowships, &c. shall make any acts, &c. without same being examined and approved by the chancellor, treasurer, or chief-justice of either benches, or three of them, or before both the justices of assize, in their circuit, &c. upon pain of forfeiting 40l. *19 Hen. 7. c. 7. f. 1.*

C.

CABBAGES. If any person shall steal or take away, or maliciously pull up, or destroy any turneps, potatoes, cabbages, parsnips, pease, or carrots growing, or being in any garden lands, &c. shall upon oath of one witness, before a Justice, forfeit not exceeding 10s. over and above the value, at the discretion of the Justice, and in default, committed to hard labour, not exceeding 1 month, unless sooner paid, half to the owner, and half to the poor; or the whole at discretion of the Justice. *13 Geo. 3. c. 33. f. 1. 3.* N. B. Any inhabitant or owner may be witnesses, but if the owner, the whole forfeiture goes to the poor.

F

CABLE.

CABLE. If any person shall damage or spoil any cordage, cable, buoys, buoy-rope, headfast, or other fast, fixed to any anchor or mooring, belonging to any ship or vessel, at anchor or mooring in the Thames, or any rope used for mooring, or raising masts or timber, with an intent to steal the same, or aiding or assisting therein, *shall upon oath of 2 witnesses, be sentenced to hard labour on the Thames, &c.* 2 Geo. 3. c. 28. s. 13.

Any person taking in exchange or unlawfully receiving, &c. any ropes, cordage, tackle, apparel, furniture, stores, materials, or any part of any cargo or loading, of any vessels in the said river, being convicted on the oath of 1 witness, (*exclusive of forfeiting the same*), *shall for the first offence pay 40s. for the second, and every subsequent offence 4l. half to the informer, and half to the Trinity-house poor, to be levied by distress, and in default, for the first offence commit. sans bail, &c. for one month, and for the second offence two months, and for every subsequent offence, till discharged by order of Sessions.* Idem. s. 1, 10.

Every person apprehended and detained who may reasonably be suspected of having so unlawfully received, and not giving a satisfactory account to the justice, how he came by the same, *shall be guilty of a misdemeanor, and forfeit for the first offence 40s. &c. (as last).* N. B. The Justice may deposit such goods with the Church-wardens, &c. who are to advertise the same, if within the bills of mortality, and if not, then notice to be given by the common cryer, and also to be affixed on the church or chapel door, describing same, that the owners may claim the same, within 30 days; and they proving their property therein, the Justice shall order restitution, upon paying reasonable charges, &c. and if no such proof shall be made, the goods, &c. to be sold, &c. and after deducting the charges aforesaid, half to the informer, and half to the poor of the place. Idem. s. 7, 8.

Persons obstructing the execution of this act, *shall upon conviction at the Quarter Sessions, be sentenced to the Thames, &c.* Idem. s. 19.

CALF. No butcher or other person, shall kill any calf to sell, (under 5 weeks old) *on pain of forfeiting for every calf 6s. 8d. one third to the King, one third to the prosecutor, and one third to the city, borough, &c. to be recovered by action, &c.* 1 Jac. 1. c. 22. s. 3. See Cow.

CALLICOES.

CALLICOES. Using or wearing in any apparel, any printed, painted, stained, or dyed callicoe, (excepting such as are dyed all blue), *shall forfeit 5l. to the informer, upon oath of one witness, before a Justice, to be levied by distress.* N. B. Prosecution to be within 6 days. 7 Geo. 1. c. 7. f. 1. 11.

Using in household stuff, or furniture, any stuff made of cotton, or mixed therewith, which shall be printed, chequered, &c. or any callicoës, stitched or flowered, &c. (excepting muslins, neckcloths, and fustians), *shall forfeit 20l. half to the informer, and half to the poor, to be recovered by action, &c. in the Courts of Record at Westminster.* 7 Geo. 1. c. 7. f. 3, 4. Prosecution within 6 months.

Counterfeiting the stamps or seals on silk, callicoës, linens, or stuffs to be printed, painted, stained, or dyed, in Great-Britain, is felony, *sans clergy.* 13 Geo. 3. c. 56. f. 5. See COTTON.

CAMBRICK. Foreign cambrick, or French lawns, found in the possession of any hawker or pedlar, *over and above the forfeiture of his license, and all other goods in his pack, such cambrick, &c. shall be forfeited, and after condemnation, &c. to be sold, &c. for exportation to America only, half to the King, and half to the officer seizing the same.* 7 Geo. 3. c. 43. f. 7, 8.

CANDLES. No maker of candles, shall erect, alter, or use, &c. any melting-house, warehouse, or other place, for the making or keeping of candles, or use any materials or utensils for making candles, without notice thereof in writing, to the next office of excise, *on pain of 50l. Vide excise Laws.* 8 Ann. c. 9. f. 6.

If any candlemaker, (except compounders) shall, &c. (as above) *he shall forfeit 100l. vide Idem.* 11 Geo. 1. c. 30. f. 23.

Obstructing any officer between 5 in the morning, and 11 in the evening, with or without a constable, and between 11 in the evening, and 5 in the morning, with a constable, on request to enter and search, &c. for ditto, *shall forfeit 100l. vide Idem.* 11 Geo. 1. c. 30. f. 24.

Officers are to enter and take account, &c. and if they shall neglect to leave a true copy, of their report with the maker, (on demand), *shall forfeit 40s. vide Idem.* 8 Ann. c. 9. f. 11. & 12 Geo. 1. c. 28. f. 10.

Candle makers shall keep just scales and weights, where he makes ditto, and to permit and assist the officer in using them, *on pain of 10l. vide Idem.* 8 Ann. c. 9. f. 11.

Every candle maker, before he begins to make the same, shall declare to the officer the number of sticks, and the sizes of candles, and how many moulds he intends to fill, and if he shall afterwards increase either, or neglect to give such notice, *he shall forfeit 10l. vide Idem. 10 Ann. c. 26. f. 106. By 11 Geo. 1. c. 30. f. 27. the penalty is 50l.*

No maker of candles for sale, shall begin a course, without notice first given to the officer, unless from September 29, to March 25, between 7 in the morning, and 5 in the evening; and from March 25, to September 29, between 5 in the morning, and 7 in the evening, *on pain of 10l. vide Idem. 10 Ann. c. 26. f. 107.*

If any begins to make the same (not being mould candles) without notice in writing, of such his intention, and of the hour he intends to begin, *he shall forfeit 50l. vide Idem. 11 Geo. 1. c. 30. f. 27.*

If any maker shall obstruct the officer in taking an account of the quantities of wax, tallow, &c. *shall forfeit 20l. vide Idem. 8 Ann. c. 9. f. 12, 13.*

If any maker shall remove any candles, before the officer hath taken an account thereof, without giving to the officer, within the bills of mortality, 24 hours notice, and elsewhere, two days notice, *shall forfeit 20l. vide Idem. 8 Ann. c. 9. f. 14.*

If any shall not keep candles which have not been surveyed, separate from those which have been surveyed, for 24 hours after making, within the bills of mortality, and for 2 days elsewhere, *shall forfeit 5l. vide Idem. 8 Ann. c. 9. f. 15.*

If any person shall obstruct any officer in searching for concealed candles, soap, or starch, &c. *shall forfeit 100l. vide Idem. 23 Geo. 2. c. 21. f. 34. 37. 38.*

If any maker of candles for sale, shall mix candles which have not been weighed by the officer, with those which have, or shall fraudulently remove or conceal any before weighing, or any materials, *he shall forfeit 100l. vide Idem. 11 Geo. 1. c. 30. f. 30.*

Not making true entries in writing on oath, if in London or Westminster every month, if elsewhere, every 6 weeks, of candles made in those times, *shall forfeit 20l. vide Idem. 8 Ann. c. 9. f. 7.*

Concealers of candles *shall forfeit 20l. vide Idem. Idem. f. 16.* and candles found in private melting-houses, *shall be forfeited. f. 17.*

No

No person shall expose to sale any candles, unless in his public shop, warehouse, public fair, or market, *on pain of 5l. half, &c. (as last). vide Idem. 8 Ann. c. 9. f. 18.*

If any person after composition, shall sell, or deliver out, any candles, or permit any other person to make the same, or shall have more persons of his family than he shall compound for, without giving notice of them in writing, &c. and paying the like composition for them, exclusive of losing the benefit of his composition, and being liable to the duties and survey of the officers, *shall forfeit 5l. and for every pound so sold, &c. 5s. vide Idem. 8 Ann. c. 9. f. 21.*

Unhipping before entry, or landing after shipped, for exportation upon debenture, any candles, soap, or starch, *shall forfeit 5l. for every cwt. together with the candles and package. vide Idem. 23 Geo. 2. c. 21. f. 31.*

Knowingly harbouring or concealing any candles, soap, or starch, unlawfully imported, or relanded, after shipping for exportation upon debenture, whether he claims any property therein or not, *shall forfeit for every cwt, 50l. together with the candles and package. vide Idem. 23 Geo. 2. c. 21. f. 31.*

If the party is not satisfied with the judgment of the Justices on this act, he may appeal to the next Quarter Sessions, and on information on the said act, the mitigation shall not reduce the penalties to less than one fourth, over and above the costs and charges to be allowed. *Idem. f. 37, 38.*

Every person who shall be found privately making of candles, or soap, or in whose possession any such shall be found, *exclusive of such candles, and all materials, &c. with the boxes, packages, &c. shall forfeit 100l. See Excise Laws. 5 Geo. 3. c. 43. f. 20.*

CARDS. Any maker of cards, who shall use in the making up any pack of cards, any ace of spades, jew, or wrapper, that has been used before, or any person buying or selling same to be used, *shall for every such offence forfeit 20l. to be recovered by action in the Courts of Record, half to the King, and half to the prosecutor, 5 Geo. 3. c. 46. f. 13. Idem. f. 14.* Prosecution to be within 6 months.

Fraudulently relanding cards after entry, &c. for exportation, *shall forfeit 50l. &c. (as last). Idem. f. 15.* N. B. In either of these cases, the party informing shall be admitted to give evidence, and be indemnified. Prosecution, *Idem.*

Any person selling cards to be played with, after the cover has been broke open, *shall forfeit for every pack 5l. half*

5l. half to the King, and half to the informer. 16 Geo. 3. c. 34. f. 17.

CARNALLY-KNOWING, and abusing any woman-child, under the age of ten years, *felony sans clergy. 18 Eliz. c. 7. f. 4. N. B.* Whether with or without her consent.

CARRIAGES. Owners Christian and surnames, and place of abode, to be painted on all waggons, wains, carts, and coaches, post-chaises, &c. let to hire; and every person using any such carriage, upon any highway, or turnpike-road, without such names and descriptions, &c. *shall forfeit not exceeding 5l. nor less than 20s. upon oath of one witness before a Justice, to be levied by distress, half to the informer, and half to the surveyor of the highways, &c. and in default commit. not exceeding 3 months, unless, &c. 13 Geo. 3. c. 78. f. 60. & 13 Geo. 3. c. 84. f. 68.*

Drivers of carriages, (if owners) for misbehaviour or negligence, *shall upon oath of one witness, before a Justice, forfeit not exceeding 20s. and in default commit. not exceeding one month, unless sooner paid, half, &c. (as last) 13 Geo. 3. c. 78. f. 61. 13 Geo. 3. c. 84. f. 40.* This act extends to all sorts of carriages.

The like (if not the owner) *not exceeding 10s. &c. (as last) Idem.*

Driver of any carriages refusing to discover his name, &c. upon oath, &c. (as last) *shall be committed, not exceeding 3 months, or to proceed for the penalty by description of his person and offence, and expressing in such proceedings that he refused to discover, &c. to be levied by distress, half to, &c. (as last) Idem.*

Every person who shall not in 20 days after he shall begin to keep any carriage, give notice at the next office of excise, and within 20 days yearly, after the expiration of 12 calendar months, after the time of giving such first notice, give fresh notice, &c. and at the same time shall pay down the duties; *shall forfeit 20l. for each offence, vide Excise Laws. 20 Geo. 2. c. 10. f. 4, 5.*

If any person shall let out to hire any carriage, without such figure as the commissioners shall chuse to be fixed thereon, or shall take off the same when fixed, *shall forfeit 20l. vide Idem. 20. Geo. 2. c. 10. f. 10.* For exceptions, see f. 7, 8, 9.

Horses, cattle, and carriages, used in conveying foreign spirits, (which have not paid duties) and seized by officers of excise, *shall be forfeited, vide Idem. 9 Geo. 3. c. 6. f. 1.*

See CARTS, COACHES, CUSTOMS, HIGHWAYS, and OBSTRUCTIONS.

CARRIERS. Common waggoners, or carriers, taking for carriage, above the rates limited by the Justices, *shall forfeit 5l. to the party grieved, 3 W. & M. c. 12. f. 24. & 21 Geo. 2. c. 28. f. 3.* N. B. Such rates to be fixed by the Justices in the Easter Sessions, and certified to the chief officers of the market towns, to be hung up in some publick place, where all persons may resort; and likewise to be certified, &c. to the Clerks of the peace, for the counties of Middlesex, and Surry, and the cities of London and Westminster, &c.

And the fine when brought into the country, by the Justice where the carrier resides; and when brought to London, or within the bills of mortality, &c. by the Lord Mayor, or Justices, &c. Prosecution to be within 6 months. See COACHMAN.

CARROTS. See CABBAGES.

CARTS. Driving any cart, dray, &c. within the bills of mortality, not marked, numbered, and entered, &c. *shall upon oath of one witness, before a Justice, forfeit 40s. and any one may detain the cart, &c. till paid, and if not paid within 24 hours to be sold, half to the prosecutor, and half to the poor. 30 Geo. 2. c. 22. f. 1.* And all such entered before November 16, 1770. to make new entries, before September 1771. or be subject to penalties, &c. as if without a number, 11 Geo. 3. c. 28. f. 4.

On changing the property, the new owners name, &c. to be affixed on the cart, &c. and to be entered, and numbered anew, and in default, *shall upon, &c. (as last). 30 Geo. 2. c. 22. f. 2.*

If the driver of any cart, car, dray, waggon, &c. not being owner of such, shall ride upon any such carriage, in any street or highway, not having some other person on foot, or horseback, to guide the same, (such carriages as are conducted by some person holding the reins of the horse, or horses, drawing the same excepted) *shall upon oath of one witness, before a Justice, forfeit any sum not exceeding 10s. in default commit. to the house of correction, not exceeding one month, unless sooner paid, half to the informer, and half to the surveyor of the turnpike road or highway. 13 Geo. 3. c. 78. f. 61, 73. & 13 Geo. 3. c. 84. f. 40.*

If the driver of any empty waggon, cart, or other carriage, shall refuse or neglect, to turn aside and make way for any

any coach, chariot, chaise, loaded waggon, cart, or other carriage, or if the driver of any carriage, shall cause any hurt to any person or carriage, or shall interrupt the free passage of any other carriage, &c. *shall upon, &c. (as last)* *Idem.* N. B. In both these cases, if the driver is owner, the penalty is double, i. e. not exceeding 20s. and also in both cases, the Justice may convict on his own view. See CARRIAGES, and WESTMINSTER.

CATTLE. If any person shall by negligence or ill usage, in the driving cattle, cause any mischief to be done, *upon oath of one witness before a Justice, he shall forfeit not exceeding 20s. nor less than 5s. to the prosecutor, in default, commit. to hard labour not exceeding one month, or be publicly whipped, as the Justice shall think fit,* 14 Geo. 3. c. 87. f. 1. N. B. Information within 14 days.

Informers neglecting to attend, &c. without some lawful excuse, within 6 hours from the making such information, *shall upon oath of the constable, &c. forfeit to him, not exceeding 40s. nor less than 10s. and in default, to be levied by distress.* *Idem.* f. 2. *Idem.*

In any wise misbehaving in the driving or management of cattle, it shall be lawful for the constable, &c. upon view or information of any person, (who shall declare his name, and place of abode, &c.) to seize, secure, and without warrant, to convey, &c. *Idem.* f. 1.

Offenders refusing to discover their names, &c. to the Justice, &c. *shall be committed for one month, or until he shall declare the same.* *Idem.* f. 6.

The Justice within 6 days after complaint, or view of the breach of any bye-laws, to be made by the court of Mayor and Aldermen, (who are authorised to make reasonable rules, and to annex penalties, not exceeding 40s. nor less than 20s.) is to issue his warrant for apprehending the offender, *and in default of payment on conviction, he is to be committed, not exceeding one month unless sooner paid, the penalty to go to the informer.* 14 Geo. 3. c. 87. f. 3, 6.

Persons armed and disguised, killing, maiming, or wounding any cattle, *is felony, sans clergy.* 9 Geo. 1. c. 22, f. 1. See BUTCHER, CARRIAGES, and COW.

CERTIFICATE. See SETTLEMENT.

CERTIFICATE GOODS. See CUSTOMS.

CHACES. See FORESTS.

CHAIRMAN.

CHAIRMAN. Carrying any chair without license, *shall upon oath of one witness before the commissioners, forfeit 40s. half to the informer, and half to the King, to be levied by distress, and in default, commitment till paid.* 9 Ann. c. 23. s. 4. 10 Ann. c. 19. s. 159.

Chairman or coachman, acting under a licensed person, guilty of misbehaviour, by demanding more than his fare, or giving abusive language, &c. *shall upon oath of one witness before the commissioners, or a Justice, forfeit not exceeding 20s. to the poor, in default, commit. to hard labour for seven days, with correction of the house.* 9 Ann. c. 23. s. 49.

Licensed chairmen, refusing to go at, or exacting more than the limited rates, *shall upon oath of one witness before the commissioners, or a Justice, forfeit 40s. to informer and King, to be levied by distress, and in default, commit. till paid.* 9 Ann. c. 23. s. 8.

Any one refusing to pay any coachman, or chairman, or defacing, &c. any coach, or chair, *shall upon oath before a Justice, render satisfaction, or be bound to appear at the next General Quarter Sessions.* 9 Ann. c. 23. s. 22.

Every chair shall have a distinct mark on each side, and if they shall alter or obliterate such mark, *they shall upon oath of one witness before the commissioners, forfeit 5l. to the informer and King, to be levied by distress, and in default, commit. till paid.* 9 Ann. c. 23. s. 4.

Either chairman or coachman, hindering any person from taking his number, or giving him a wrong one, *shall upon oath of one witness, forfeit not exceeding 40s. and in default, commit. till paid, half to informer, and half to the King.* By Laws, &c. s. 8, & 9.

Chairmen improperly placing chairs on the foot pavement, or wrongfully taking away the fare of another, *shall upon oath of one witness, forfeit not exceeding 20s. nor less than 5s. and in default, commit. till paid, half to informer, and half to the King.* Idem. s. 22.

Any chairman or coachman, having agreed beforehand with the person hiring, to take less than the rate by law, and demanding more, *shall forfeit not exceeding 20s. to the informer and King, and in default, commit. till paid.* Idem. s. 7.

The fairs of hackney chairmen, are as follows; not exceeding one mile, 1s. above one mile, and not exceeding 1 mile and half, 1s. 6d. for every further distance, not exceed-

ing 4 furlongs, 6d. and by the hour, 1s. 6d. for the first hour, and 6d. for every half hour afterwards. 7 Geo. 3. c. 44. f. 13.

The parishes of St. Mary le Bone, St. George the Martyr, St. George Bloomsbury, Hanover-square, &c. with all the burying grounds within 5 miles of London and Westminster, or belonging to any of the several other parishes, are deemed to be within the limits of the said cities, and the jurisdiction of the commissioners for licensing hackney coaches and chairs, and of the Justices, &c. 11 Geo. 3. c. 28. f. 1.

Every person licensed to carry a chair or coach, neglecting (being duly summoned) to appear by himself, or his renter, before the commissioners, upon any complaint made, *shall without reasonable excuse to be approved of by them, forfeit 10s. to the King, and informer.* 10 Geo. 3. c. 44. f. 6. N. B. So neglecting upon the 3 summons, notwithstanding the absence of the party offending, the commissioners upon oath of one witness, may determine, &c.

In all cases where a hackney coachman or chairman, may be committed to Bridewell, or house of correction, he may be sent there immediately. 10 Geo. 3. c. 44. f. 5. See COACHES, and PENALTY.

CHALLENGE. Any person assaulting or challenging another to fight, on account of money won by gaming, &c. *and being convicted thereof upon an indictment or information, exclusive of forfeiting all his goods, chattels, and personal estate whatsoever, to the King, shall be committed, sans bail, &c. to the common goal, for two years.* 9 Ann. c. 14. f. 8.

CHELSEA-HOSPITAL. All assignments, bargains, sales, contracts, orders, &c. made by any out pensioner, in respect of any out pension, shall be absolutely void. 28 Geo. 2. c. 1. f. 1.

If any Agent appointed for the payment of the said pensions, shall exact or take any fee or reward whatsoever, for, or on account of paying the same, or on any account whatsoever relative to the same out-pensions, *exclusive of forfeiting his office, shall pay 100l. to the prosecutor, to be recovered in the Courts of Record.* 28 Geo. 2. c. 1. f. 7. N. B. Prosecution to be within 12 calendar months.

CHILDREN. Persons sending any child, or any other person under their government, into parts beyond seas, out of the King's obedience to be educated in the Romish religion, *shall forfeit 100l. to the person convicting, to be recovered by action*

action in a Court of Record. 13 *Jam.* 1. c. 5. f. 16. & 11 & 12 *W.* 3. c. 4. f. 6. See POOR, and SETTLEMENT.

CHIMNEY. See CHURCH-WARDEN.

CHOCOLATE. Makers of chocolate, if within the bills, shall weekly, and elsewhere every six weeks, make entry at the next office, of all chocolate made, on pain of 50*l.* *Vide Excise Laws.* 10 *Geo.* 1. c. 10. f. 17.

Every such person after entry, shall clear all the duties, (exclusive of paying the duties), on pain of 50*l.* and if he fell after such default, he shall forfeit treble the value. *vide Idem.* *Idem.* f. 18.

Every ditto shall at the time and place of entry, produce the same so made, (on pain for every pound not produced) of 20*s.* *vide Idem.* 32 *Geo.* 2. c. 10. f. 16.

Selling chocolate in any less quantity than a quarter of a pound, or not being duly marked, stamped, or whereof the thread, &c. inclosing the same shall have been broken, shall forfeit 20*l.* *vide Idem.* *Idem.* f. 17.

If any person shall counterfeit the stamp, &c. or selling any chocolate knowingly, with a counterfeit stamp, he shall forfeit 500*l.* and be committed to the next county goal for 12 months, sans bail, &c. *vide Idem.* 10 *Geo.* 1. c. 10. f. 22. & 11 *Geo.* 1. c. 30. f. 13. See COFFEE, and TEA.

CHRISTENINGS. See OFFICE.

CHURCHES. If any person shall by words only quarrel, chide, or brawl, in any church, or church-yard, he may on oath of 2 witnesses be suspended by, &c. if he be a layman, ab ingressu ecclesie, and if he be a clerk, from the ministracion of his office, as long as the ordinary pleases. 5 & 6 *Edw.* 6. c. 4. f. 1.

If any person shall smite, or lay violent hands upon any other, either in, &c. (as above) he shall, ipso facto, be deemed excommunicate. *Idem.* f. 2.

If any person shall maliciously strike another, with any weapon in, &c. (as above) or shall draw any weapon in, &c. to the intent to strike another with the same, (exclusive of being excommunicated) he shall upon confession, or on oath of 2 witnesses, or verdict at the assizes, have one of his ears cut off, or (if he hath no ears), to be marked and burned in the cheek with an hot iron, having the letter F thereon. *Idem.* f. 3.

Persons riotously assembled, demolishing any building for religious worship, or any dwelling-house, barn, stable, or other out-house, or beginning to demolish the same, is felony, sans clergy. 1 *Geo.* 1. c. 5. f. 4.

G 2

Robbing

Robbing any churches, chapels, or other holy places, or aiding, counselling, or helping therein. *Idem.* 23 *Hen.* 8. c. 1. f. 3.

CHURCH-WARDENS. Church-wardens or overseers, (where no church-wardens) are to take care that fire engines, pipes, &c. be kept in some known and publick place, within every parish of the city of London and Westminster, and the liberties thereof, *on pain of forfeiting (by 2 Justices) 10l. half to the informer, and half to the poor, to be levied by distresses.* 12 *Geo.* 3. c. 73. f. 26.

Such person not keeping the same in repair, and fixing and contriving proper stop-blocks, or fire cocks, on the several mains and pipes, &c. or neglecting to comply with the directions relative to them, &c. *shall forfeit, &c. (as last)* *Idem.* & 6 *Ann.* c. 31. f. 1.

Such person shall pay to the turn-cock belonging to the water-work, whose water shall first come into the main or pipe, at any fire 10s. *and in default, to be levied, &c. (as last)* *Idem.* f. 27.

Such person to pay to the first engine keeper, who first brings a parish, or other large engine in good order, &c. to extinguish any fire, 30s. to the second 20s. and to the third 10s. *and in default, to be levied by distresses.* *Idem.* f. 27, 28.

In all cases where any reward by this act made payable, shall be paid by any church-warden or overseer, &c. on account of any fire being in a chimney only, or first occasioned by the taking fire of any chimney only, the inhabitant or occupier of any room, &c. to which any such chimney shall belong, being a lodger or holder of any house or building, of which such room shall be part, or the tenant of the building, where any such fire shall begin, *shall reimburse the same, agreeable to the award of the Mayor or other Justice, or in default, after 14 days demand, to be levied by distresses.* *Idem.* f. 29.

The church-wardens or overseers (if no church-wardens) of every parish shall provide, and have kept, in some known and publick places, engines, pipes, plugs, and ladders, *on pain of forfeiting on conviction, before 2 Justices, 10l. half to informer, and half to surveyor, &c. to be levied by distresses.* 14 *Geo.* 3. c. 78. f. 74, 75.

Churchwardens and overseers shall yearly, within 14 days after new overseers appointed, deliver in to them, a perfect account in writing, fairly entered in a book, and signed under their hands, of all money by them received, or rated, and
not

not received; and also of all goods, materials, &c. that shall be in their hands, or those of any of the poor, &c. and of all other things concerning their office, and shall also deliver over all sums, &c. unto them, which said account shall be verified before a Justice by oath, or (if quakers) by affirmation, *on pain of commit. (by 2 Justices) to the common goal, until, &c.* 17 Geo. 2. c. 38. s. 1, 2.

If any church-warden, overseer of the poor, vestrymen, clerk of the vestry, master of the work-house, master or warden of the company of parish clerks, or any clerk of such company, shall neglect his duty, *he shall forfeit (by 2 Justices) 5l. to the informer, to be levied by distress.* 7 Geo. 3. c. 39. s. 23. See ASSESSMENTS, OVERSEERS, POOR, and SETTLEMENT.

CITATION. No person shall be cited out of the diocese where he dwelleth but in certain cases, *upon pain of forfeiture by the ordinary so offending, double damages and costs, for the viscation to the person cited, and 10l. to the King and prosecutor, by action of debt in a Court of Record.* 23 Hen. 8. c. 9. s. 2, 3.

CITY. See COUNTRY.

CLAY. No tobacco pipe clay shall be exported from England, Berwick upon Tweed, Ireland, or Wales, *under the penalty of 3s. for every pound, to the King, and the suitor; to be recovered by action of debt, &c. in the Courts of Record.* 13 & 14 Car. 2. c. 18. s. 8.

CLERGY. Any person having the benefit of the clergy, and being committed to the house of correction, and escaping out of prison, and retaken, *shall be by 2 Justices, or 1 Judge, committed there to hard labour, sans bail or mainprize, not exceeding 4 years, nor less than 12 months from the time of retaking.* 5 Ann. c. 6. s. 3.

Where any person shall be convicted of any theft or larcency, and shall have the benefit of the clergy allowed thereon, *he shall be burnt in the hand, and at the discretion of the Judge or Justices, be committed sans bail, &c. to the house of correction, or publick workhouse, to hard labour, not exceeding 2 years, nor less than 6 months, from the time of conviction.* 5 Ann. c. 6. s. 2.

If such offender shall neglect his work, the master, &c. is to give him due correction, and in case any master or keeper, shall neglect to do his duty directed, *he shall be removed from his office, upon oath of one witness, before a Justice of assize, or goal delivery. Idem.* See WOMAN.

CLERGYMAN.

CLERGYMAN. No spiritual person, secular or regular, benefited with cure, shall take in farm any parsonage or vicarage, of the lease or grant of any person, *upon pain to forfeit 40s. for every week he shall so hold, and ten times the value of such profits or rent, half to King, and half to the prosecutor, to be recovered by action of debt, &c. in the King's Courts.* 21 Hen. 8. c. 13. f. 30.

Leases, grants, &c. made by them for more than 21 years, or 3 lives, *shall be void.* 13 Eliz. c. 10. f. 3. See ARRESTS.

CLERKS. If any record or parcel of the same writ, return panel, process, or warrant of Attorney, in the King's Courts of Chancery, Exchequer, or either bench, or in the Treasury, be willingly taken away, or avoided, by any clerk or other person, whereby any judgment shall be reversed, *upon conviction by confession on inquest, half of one court and half of another, he shall be guilty of felony.* 8 Hen. 6. c. 12. f. 3.

No clerk of the peace, or his deputy, nor any under-sheriff, or his deputy, shall act as a solicitor, agent, &c. or sue out any process at the General or Quarter Sessions of the peace, wherein he shall execute the office of clerk, or under-sheriff, &c. *on pain of forfeiting 50l. with treble costs, to him who shall sue by action of debt in the Courts at Westminster.* 22 Geo. 2. c. 46. f. 12, 14. (action to be within 12 months)

CLERK OF PEACE See ESTREATS.

CLOCKS. Persons employed by any in the manufacture of clocks and watches, and embezzling or unlawfully disposing of any materials of the same, (for the first offence) *shall upon oath of 1 witness before a Justice, forfeit 20l. immediately, and in default to be committed to hard labour for 14 days, unless, &c. and if not paid within two days of that time, to be publicly whipped, and for the second offence 40l. commitment for 3 months, unless, &c. if not paid within 7 days of, &c. to be twice publicly whipped, the penalty after satisfaction to the party injured, to go to the poor.* 27 Geo. 2. c. 7. f. 1.

Buying or receiving the same, knowing them to be purloined or embezzled, shall upon oath, &c. (as last) *Idem.*

No person shall export any box, case, or dial-plate, for clock or watch, without the movements, &c. made up, fit for use, with the maker's name engraved thereon; nor shall make up any clock or watch without engraving the maker's name, and place of abode or freedom, and no other name or place, *under penalty of forfeiting (exclusive of the same) 20l.*
half

half to the King, and half to the prosecutor, to be recovered in the Courts of Record. 9 & 10 W. 3. c. 28. f. 2.

CLOTHS. Cloths shall not be put to sale, until the aulneger hath measured and put a seal upon them. 11 Hen. 6. c. 9. f. 1.

CLOTHIERS. Clothiers not paying their weavers, within two days after delivery of their work, shall upon oath of 1 witness before 2 Justices, forfeit 40s. to be levied by distress, 14 days after conviction, to the poor and informer, in default of distress, commit. to house of correction, not more than 3 months, or until, &c. 30 Geo. 2. c. 12. f. 4.

If any clothier, serge-maker, or person concerned for himself or another, employing weavers, combers, spinners, knitters, or other labourers in the woollen manufacture, shall pay, &c. their wages, or any part thereof, either in goods, or by way of truck, bill, or note, or in any other manner than in money, shall upon oath of 1 witness, before 2 Justices, forfeit 20l. to informer and poor, to be levied by distress, and in default, to be committed to the house of correction, not more than 3 months, or until, &c. 29 Geo. 2. c. 33. f. 3, 4, 5, 7.

COACHMAN, and COACHES. Hackney-coachmen refusing to go at, or exacting more than their fare, shall upon oath of one witness, before a Justice, forfeit not exceeding 3l. nor less than 10s. immediately, half to the informer, and half to the King, or be committed, not exceeding one month, with correction of the house. 1 Geo. 1. c. 57. f. 2. 7 Geo. 3. c. 44. f. 1, 16. & 10 Geo. 3. c. 44. f. 5.

Standing, plying, or driving for hire, within the Bills, without license; (i. e. without a figure) shall upon oath of 1 witness, before a Justice, forfeit 5l. half, &c. (as last) or be immediately committed for one month, with correction of the house. 1 Geo. 1. c. 57. f. 3. & 10 Geo. 3. c. 44. f. 5.

Plying without check strings, shall upon, &c. (as last) forfeit 5s. &c. or &c. (as last) 11 Geo. 3. c. 28. f. 1. Or refusing to hold them if required, 10s. or commitment till paid, &c. Bye Laws, &c. f. 14.

Carriers, coachmen, watermen, or passengers, &c. carrying any letters whatsoever, that do not concern goods in their waggons, &c. shall forfeit for each offence 5l. half to the King, and half to the prosecutor, with full costs, to be recovered by action in the Courts of Record. 9 Ann. c. 10. f. 3, 17, 19.

All offences committed by hackney-coachmen, within 10 miles

miles of London and Westminster, are made liable as offences committed within the same. Bye Laws, &c. *f. 8. & 9.*

Coachmen having more than two tin-plates of the number of one license, or marking the same number on his coach, without leave from one of the commissioners, &c. *shall upon oath of one witness, before a Justice, forfeit not exceeding 5*l.* and in default, committed till paid, half, &c. (as above) Idem. f. 13.*

Coaches not being decent, clean, strong and warm, with glass windows, on each side, or shutters with glasses, *shall upon, &c. forfeit not exceeding 10*s.* and in, &c. (as last) Idem. f. 1.*

Every owner, renter, or driver, plying or driving, within the weekly bills, &c. without such plates as have been ordered, *shall upon, &c. forfeit not exceeding 5*l.* nor less than 40*s.* &c. and in, &c. (as last) Idem. f. 2.*

The difference of three yards to be observed in all places where hackney-coaches stand, (except, &c.) *or upon &c., forfeit 10*s.* and in, &c. Idem. f. 3.*

No person except the proper driver, shall be carried in the coach, or any where about the coach, without the hirer's consent, *on pain of forfeiting upon, &c. not exceeding 10*s.* and in, &c. Idem. f. 6.*

No licenced hackney-coachman (either renter or driver) who shall regularly use and employ his coach as a stage-coach, and who by painting in legible characters on the doors of such coach, or by a board, to be painted in legible characters, and affixed to the door, &c. shall plainly denote it to be a stage-coach, to and from such and such places, shall be fined for refusing to carry his fare out of the ordinary course of his stage-work. 12 Geo. 3. c. 49. *f. 2.*

All offences committed by hackney-coachmen, within ten miles from the cities of London and Westminster, are made liable to like penalties as offences within the said cities. Bye Laws, *f. 11.*

If the owner or driver of any licenced hackney-coach, or the owner or carrier of any hackney-chair, shall insult, assault, or oppose any of the officers of the commissioners, either in making distresses, or apprehending persons convicted, or otherwise acting in discharge of their respective offices, or shall give abusive language, or rude behaviour, to any person, in coming to, attending on, or going from the said commissioners,

sioners, *he shall forfeit not exceeding 40s. to the commissioners.*
Idem. f. 9

Licensed jobb coaches, let out within the weekly bills for more than one month without the Excise mark, are liable to such penalties as hackney-coaches, &c. driven without license. 7 Geo. 3. c. 44. f. 11.

Upon every information for driving or letting to hire, a mourning coach or hearse to any funeral, without a number, &c. or any hackney-coach, contrary to the 9 Ann. although no express hiring shall be proved, yet, unless the party accused shall appear, and prove that no money or gratuity was paid, or agreed to be paid for the use of such coach, the same shall be adjudged a driving or letting to hire, to all intents and purposes; and the party, *shall forfeit upon oath of one witness, before a Justice 5l. half to the King, and half to informer, or immediately be committed for one month, with correction of the house.* 1 Geo. 1. c. 57. f. 4 7 Geo. 3. c. 44. f. 10. & 10 Geo. 3. c. 44. f. 5. See CARRIAGES, CHAIRMEN, and PENALTIES.

COALS. Dealers in coals using any coal-sacks within the bills, not sealed and marked, with white paint and oil, at Guildhall, London, or the Exchequer-office, for every such sack, *shall upon oath of one witness, before one Justice, forfeit 20s. half to the informer, and half to the poor, to be levied by distress, &c. in default, be committed to the house of correction, not exceeding 30 days, nor less than 14, to hard labour.* 3 Geo. 2. c. 26. f. 11, 16.

Altering or making less any such sack, after sealed and marked, *shall forfeit 50l. half to King, and half to the prosecutor, to be recovered by action in the Courts of Record, within 6 months.* *Idem. f. 14.*

Using coal bushels, or smaller measures, not sealed or stamped by the proper officer, or altering, or making same less, after sealed or marked, *shall forfeit, &c. (as last)* *Idem.*

Offenders against this act, within 6 calendar months after such offence committed, discovering other offenders, shall be acquitted, and intitled to such benefits, &c. as any other person, &c. *Idem. f. 15, 16.* See COLLIERIES, and FIRING.

COCOA-NUTS. If any person shall import coffee, tea, or cocoa-nuts, without entry, and shall not bring the same into the warehouse, it shall be deemed clandestinely run, and may be seized by any officer of the customs, or for inland duties,

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and offender shall forfeit the same, with the package, and horses, carts, and carriages. *Vide Excise Laws.* 10 Geo. 1. c. 10. f. 27, 41.

No dealer in cocoa-nuts, shall dispose of less than 28lb. at a time, and then shall enter in writing, the name and place of abode of the buyer, and on demand, produce such account to the officer, on pain of forfeiting 20l. for each lb. and 20l. for default of entry. *vide Idem.* 12 Geo. 1. c. 28. f. 29. See TEA.

COFFEE. If any person shall mix any butter, &c. with coffee, to increase the weight, he shall forfeit 20l. *Vide Excise Laws.* 11 Geo. 1. c. 30. f. 9.

And if any dealer shall knowingly buy or sell any so mixed, he shall forfeit 100l. *vide Idem. Idem.*

During the continuance of roasting houses, no coffee berries shall be roasted for sale, but in one such house, on pain of forfeiting the same, and also 5s. a lb. *vide Idem.* 10 Geo. 1. c. 10. f. 33.

If any officer or roaster, shall neglect or refuse to attend such house, he shall for the first offence forfeit 10l. for the second 20l. and for the third be disabled. *vide Idem.* 10 Geo. 1. c. 10. f. 34.

If any seller, shall conceal any coffee, he shall forfeit the same, package, &c. and treble the value. *vide Idem. Idem.* f. 39.

No person shall be permitted to retail any coffee, chocolate, sherbet, or tea, without licence, by order of the general sessions of peace, certificates of security for payment of the duties being first had, on pain of forfeiting for every month he shall so sell, 5l. one third to the King, one third to the poor, and the other third to the prosecutor, to be recovered in the Courts of Record. 15 Car. 2. c. 11. f. 15, 25. See COCOA-NUTS, and TEA.

COIN. Counterfeiting the coin of this realm is high-treason, and death upon oath of one witness. 15 Edw. 3. stat. 5. c. 2. f. 1.

Counterfeiting foreign, made current by the King's consent, the same. 1 Mary. sess. 2. c. 6. f. 2.

Counterfeiting coin not current, &c. or aiding therein, is misprison of high-treason, and the party shall be imprisoned, and forfeit as in cases of misprison of treason. 14 Eliz. c. 3. f. 1.

Clipping, washing, rounding, or filing the coins of this realm, or made current herein, or aiding therein, *is death.*

5 *Eliz. c. 11. f. 2.*

Impairing, diminishing, falsifying, scaling, or lightening the same, *is the same.* 18 *Eliz. c. 1. f. 1.*

Edging the same by any person (not employed in the mint) *is the same.* 8 & 9 *W. c. 26. f. 3. & 1 Ann. stat. 1. c. 9. f. 2.* N. B. Prosecution to be within 6 months.

Colouring, &c. any coin, resembling the current coin, *is the same.* 8 & 9 *W. c. 26. f. 4.* N. B. Prosecution to be within 6 months.

Coining-press, and tools, found in the custody of any one (not an officer of the mint) *the same.* 8 & 9 *W. 3. c. 26. f. 1.*

Making or mending same, (unless employed in the mint) *the same.* 8 & 9 *W. 3. c. 26. f. 1. & 1 Ann. st. 1. c. 9. f. 2.* N. B. Prosecution within 6 months.

Without lawful authority, conveying, or assisting in conveying same out of the mint, *the same.* 8 & 9 *W. 3. c. 26. f. 2, 9.*

Bringing false money into the realm, counterfeit to the money of England knowingly, *is the same.* 25 *Edw. 3. stat. 5. c. 2. f. 1.*

The like, counterfeit to the gold and silver coin of foreign realms, current within this realm, *the same.* 1 & 2 *P. & M. c. 11. f. 2.*

Buying, selling, or knowingly having in his custody, any clippings, filings, &c. of the current coin, (*exclusive of the same*) to forfeit 500*l.* to the King, and informer, and imprisonment till paid, and to be branded in the right cheek with the letter R. 6 & 7 *W. 3. c. 17. f. 4.*

Tendering in payment, any counterfeit coin knowingly, *for the first offence on oath of one witness, shall suffer imprisonment for 6 months, and find sureties for 6 months longer, for the second offence 2 years imprisonment, and sureties for 2 years longer, and for the third offence felony sans clergy.* 15 *Geo. 2. c. 28. f. 2.*

Either the same day, or within ten days after, knowingly tendering other false money in payment, or at the same time having more in his custody, *for the first offence on oath of one witness, imprisonment for 1 year, and to find sureties, &c. for 2 years, and for any subsequent offence, felony sans clergy.* 15 *Geo. 2. c. 28. f. 3.*

Gold coin unlawfully diminished or counterfeited, may be cut or defaced when tendered in payment; and all disputes are to be finally determined by Mayors, &c. in cities, and by any Justice of the county. 13 Geo. 3. c. 71. f. 1.

Any person to whom any silver money shall be tendered, being unlawfully diminished, or that by the stamp, &c. he shall suspect to be counterfeit, may cut, &c. the same, and if it shall appear to be counterfeit, the person tendering shall bear the loss; but if otherwise, the person cutting shall take it for what it was coined for.--All disputes within cities, or towns corporate, &c. to be determined by the chief officers of the same, and if out of any city, by the next justice. 9 & 10 W. 3. c. 21. f. 1, 2.

If any one shall take any clipt money, as if it were lawful money, *he shall forfeit double the value, to the informer.* 7 & 8 W. 3. c. 19. f. 11. & 7 W. 3. c. 1. f. 11.

None shall melt, or cause to be melted, any of the current silver coin of this realm, upon pain (if a freeman, or privileged person of any city, &c.) of being disfranchised, and forfeiting as under; or (if not a freeman, &c.) of being imprisoned, sans bail or mainprize, for 6 months; and forfeiting the same, and double the value, to the King and informer, to be recovered by action in the Courts of Record at Westminster. 13 & 14 Car. 2. c. 31. f. 1.

Any one apprehending or convicting any person, who hath counterfeited, &c. any of the current coin of this kingdom, upon the Judge's certificate, shall receive within one month 40*l.* from the Sheriff, who on refusal, shall forfeit double to the apprehender, to be recovered with treble costs, by action in the Courts at Westminster. 6 & 7 W. 3. c. 17. f. 9.

If any person shall exchange any coined gold, silver, or money, giving, receiving, or paying any more in value, &c. for it, than the same is current for, he shall (exclusive of forfeiting the same) half to the King, and half to the seizer or prosecutor, to be levied by action, &c. in the Courts of Record, be imprisoned 1 year, and make fine at the King's pleasure. 5 & 6 Edw. 6. c. 19. f. 2.

If any person guilty of clipping, altering, &c. shall afterwards discover two or more persons who have committed the same crimes, so as they shall be convicted thereof, such discoverer shall have his pardon, and if he be an apprentice, his freedom. 6 & 7 W. 3. c. 17. f. 12. & 15 Geo. 2. c. 28. f. 1, 8.

Counterfeiting

Counterfeiting half-pence and farthings, or aiding therein, or buying, receiving, paying, &c. for less than the same, by their denomination do import, *is felony*. 11 Geo. 3. c. 40. f. 1, 2. See APPRENTICE.

COLLIERIES. Wilfully and maliciously setting on fire any mine, pit, or delph of coal, *is felony, sans clergy*. 10 Geo. 2. c. 32. f. 6.

If any person shall divert, or convey any water into any coal-work, &c. or maliciously obstruct any sewer made for draining any coal, which has been such in common for 50 years, or aiding therein, *he shall forfeit treble damages, with full costs to the party grieved, to be recovered by action in the Court of Record at Westminster*. 13 Geo. 2. c. 21. f. 1.

Any person wilfully destroying or damaging engines for draining collieries or other mines; or for drawing coals thereout, or any bridge, waggon-way, trunk, or fence, used for any purposes of the said mines, &c. *shall labour on the river Thames, &c.* 9 Geo. 3. c. 29. f. 3. N. B. Prosecution to be within 18 months.

COMBINATIONS. Journeymen dyers, journeymen hot-pressers, or any other persons employed in or about any of the woollen manufactures of this kingdom; or any persons whatsoever employed in making felts or hats; or in any of the manufactures of silk, mohair, fur, hemp, flax, linen, cotton, fustian, iron, or leather; entering into, or being knowingly concerned in any contract or agreement, &c. for regulating and settling the prices of goods, or for advancing their wages, or for lessening their usual hours of work, *shall be committed either to the house of correction to hard labour, not exceeding 3 months, or to the common goal, sans bail, &c. not exceeding 3 months, to be prosecuted by information on oath of one witness, before two Justices*. 22 Geo. 2. c. 27. f. 12.

COMMITMENTS. Vagrants, and persons charged with small offences, *may for such, or for want of sureties, be committed to the common goal or house of correction, as the Justices think proper*. 6 Geo. 1. c. 12. f. 2.

If any person shall be committed to any prison, or in custody of any officer, &c. for supposed criminal matter, he shall not be removed into the custody of any other, &c. unless it be by some legal writ, on pain, that the person signing any warrant for such removal, and the person executing the same, *shall for the first offence forfeit 100*l.* and for the second 200*l.**

200l. and his office, to the party grieved, to be recovered by action in the Courts at Westminster. 31 Car. 2. c. 2. f. 5, 9.

None shall be put to answer an accusation without presentment, or some matter of record, or by due process, &c. and what is done otherwise, shall be void, and holden for error. 42 Edw. 3. c. 3. f. 1.

If any judgment be given contrary to the points of the charters by the Justices, or by any others that hold plea before them, against the same, it shall be void. 25 Edw. 1. f. 1. c. 2.

No man shall be attached by any accusation, nor forejudged, &c. against the force of the great charter, and the law of the land. 5 Edw. 3. c. 9.

COMMON STAGE WAGGONS. See WAGGONS.

COMMONS. No horse, gelding, or mare, infected with the scab or mange, shall be put to pasture upon any forest, chase, moor, marsh, heath, common, waste-ground, or common-field, upon pain to forfeit for every such, 10s. to the lord of the leet, to be recovered before the steward of the leet. 32 Hen. 8. c. 13. f. 9.

COMPANY. If any town-clerk, or other proper officer, shall neglect or refuse to make entry, minute or memorandum, of any admission into any corporation or company, upon the proper duty, in the court book, or on the roll or record, within one month after such admission, &c. he shall forfeit 10l. half to the King, and half with costs. &c. to the informer. 5 Geo. 3. c. 46. f. 2, 41. vid. 7 Geo. 3. c. 31. 8 Geo. 3. c. 6. & 9 Geo. 3. c. 12.

CONIES. See GAME, and WARREN.

CONJURATION. Any one undertaking to tell fortunes, or pretending from his skill in any crafty science, to discover where any goods or chattels, supposed to have been stolen may be found, shall suffer imprisonment for 1 year, sans bail or mainprize; and once every quarter of that year stand in the pillory, for one hour, and give sureties at the discretion of the court; to be prosecuted by indictment or information. 9 Geo. 2. c. 5. f. 4.

CONSPIRACY. Conspirators in maintaining false pleas, to be inquired of and punished, by the Justices of the bench or assize. 4 Edw. 3. c. 11. f. 1.

Butchers, brewers, bakers, poulterers, cooks, costermongers or fruiterers, conspiring not to sell their victuals, but at certain prices, or artificers, workmen, or labourers, conspiring the time, manner, &c. of their work, shall for

the first offence forfeit 10l. to the King, in six days after conviction, or imprisonment with bread and water, &c. for 20 days, for the second 20l. within 6 days, or pillory, and for the third 40l. within 6 days, or pillory, with the loss of an ear, and to be deemed an incredible man. Justices of assize, &c. have cognizance of these offences. 2 & 3 Edw. 6. c. 15. s. 1. See ARTIFICERS.

CONSTABLES. Constables and others neglecting their duty in billeting soldiers, for the space of two hours, upon sufficient notice of their arrival, or taking any reward to excuse any person, &c. *shall upon oath of one witness, before a Justice, forfeit not exceeding 5l. nor less than 40s. to the use of the poor of the parish, to be levied by distresses. Mutiny Act.*

Not delivering lists at Quarter Sessions, on oath of inhabitants liable to receive soldiers, &c. and of soldiers quartered in their respective divisions, or giving defective lists thereof, *shall forfeit 5l. to the poor of such parishes, to be levied by distresses, and in default, be committed to the common goal, sans bail, &c. not exceeding three months, nor less than one. Idem. s. 41.*

Neglecting to execute such warrants as shall be directed to them for providing carriages, &c. or any person appointed by such, refusing to do so, *shall upon oath of one witness, before a Justice, forfeit not exceeding 40s. nor less than 20s. to the poor, to be levied by distresses. Idem. s. 44.*

Refusing, or neglecting to use their best endeavours to apprehend vagrants, &c. *shall upon, &c. forfeit 10s. to the poor, to be levied by distresses. 17 Geo. 2. c. 5. s. 5.*

Not conveying, or causing to be conveyed and delivered, such offenders to the proper person, or refusing to receive such, *shall forfeit upon conviction at the Quarter Sessions 20l. half to the informer, and half to the treasurer of the county, to be levied by distresses. Idem. s. 18.*

Neglecting or refusing to be aiding an officer of excise, on request made, *shall forfeit 20l. See Excise Laws. 14 Geo. 1. c. 30. s. 31.*

Any constable or other peace officer refusing or neglecting on notice or request, or on his own view, to be aiding in the execution of this act, or those of the 9th & 10th Geo. 2. against retailing spirituous liquors, *shall forfeit upon oath of one witness, before a Justice, 20l. half to the poor, and half to the informer, to be levied by distresses. 11 Geo. 2. c. 26. s. 7.*

Constables,

Constables, headboroughs, &c. refusing or neglecting to execute this act, or to account for, or deliver any forfeiture, &c. according to the direction thereof, *shall upon oath before a Justice, forfeit 10l. half to the informer, and half to the surveyor of the roads, to be levied by distress, &c. and in default, commit. to common goal, or house of correction for 3 months, unless sooner paid.* See Turnpike. 13 Geo. 3. c. 84. s. 73.

Constables, headboroughs, or turncocks, neglecting their duty in causing the name and place of abode of the turncock, &c. to be affixed in the watch-house, watch-box, &c. *shall upon oath of one witness before a Justice, forfeit not exceeding 10s. to the informer, to be levied by distress, and in default commit. to common goal or house of correction, to hard labour not exceeding 3 months.* 14 Geo. 3. c. 90. s. 17.

Constables or headboroughs making default of watching, &c. *shall upon, &c. (as last) forfeit not exceeding 20s. nor less than 5s. to the collector of the rates; to be levied by distress, and in default commit. &c. (as last) Idem.*

Constables neglecting to prosecute bawdy-houses, gaming-houses, and disorderly houses, *shall forfeit 20l. to each of the complainants, to be recovered by action of debt in the Court of Record at Westminster.* 25 Geo. 2. c. 36. s. 7, 13.

Any constable or inferior officer, refusing at the commandment of any justice of peace, or other head officer, to execute, by himself, or, &c. the act against robbing orchards, breaking hedges, cutting corn, digging up fruit-trees, &c. *shall be commit. to the common goal, sans bail or mainprize, until the said offender be by such constable punished.* 43 Eliz. c. 7. s. 2.

Any head-constable of the hundred, &c. failing to issue his precept to convene, with the constables, tything-men, &c. when they shall make a true list signed by them, of the names and abode, of all the persons qualified to serve on juries, *shall upon conviction at the assize, &c. forfeit 10l.—And any petty constable, &c. failing to meet, and failing to make a true list, and return the same to the Justices in open court, shall, &c. forfeit 5l.* 3 & 4 Ann. c. 18. s. 5. See ALLEGES, HAWKERS, JURISDICTION, and WATCH.

CONVEYANCES. Fraudulent conveyances of lands, goods, &c. made to defraud creditors, or purchasers, shall be void, (except against such person whose action shall be disturbed, &c.) and all privies thereto, *shall forfeit one year's value of the lands, &c. the whole value of the goods, &c. and the money contained in*
such

such covenant bond, &c. half to the King, and half to party aggrieved, to be recovered by action, &c. in the Courts of Record, and shall also suffer imprisonment for half a year, sans bail or mainprize. 13 Eliz. c. 5. f. 2, 3 & 27 Eliz. c. 4. f. 2, 3.

COOPERS. See ALE-HOUSES, and BARRELS.

COPPER. Blanching copper for sale, or mixing blanchéd copper with silver, &c. or knowingly and fraudulently buying or selling any malleable composition, &c. *is death.* 8 & 9 W. 3. c. 26. f. 6, 9. See BRASS, and WIRE.

COPPICE. Maliciously setting on fire, or causing to be set on fire, any wood, underwood, or coppice, or any part thereof, *is felony.* 1 Geo. 1. stat. 2. c. 48. f. 4.

CORDAGE. See CABLE.

CORDWAINERS. The Master and Wardens of cordwainers, curriers, girdlers, and saddlers, of London, neglecting once a quarter to make search of, and view all boots, and shoes, and other wares made of tanned leather, within 3 miles of London, &c. for every year *shall forfeit 40l. half to the King, and half to the informer, to be recovered by action in the Court of Record.* 1 Jac. 1. c. 22. f. 29.

CORN. Persons using violence to hinder the purchase or carriage of corn, &c. *for the first offence, shall by two Justices be committed to the house of correction to hard labour, not exceeding 3 months, nor less than 1, and once publicly whipped.* 11 Geo. 2. c. 22. f. 1.

The like a second time, or destroying granaries, or other places, where corn shall be kept, in order to be transported, *is felony, and labour on the river Thames, &c. Idem. f. 2.*

No person (except it be in his own ground, or with consent of the owner), shall hawk, or with spaniels hunt, in any ground where corn or other grain shall be standing or growing, nor before such time, as such corn and grain shall be cocked, &c. *upon pain of forfeiting 40s. to the owner of such corn, to be recovered by action in the Courts of Record.* 23 Eliz. c. 10. f. 4. N. B. Any Justice may examine the offender, and bind him over to appear, &c. See ORCHARDS.

CORONER. It is a matter indictable at the common law, for a coroner to bury a man who dies a violent death, before the coroner's inquest has set upon him.

Coroner not doing his duty *sans fee*, where a person is slain by misadventure, *shall forfeit 40s. to the King.* Quarter Sessions. 1 Hen. 8. c. 7. f. 1.

Coroners convicted of extortion, or wilful neglect, may be removed. 25 Geo. 2. c. 29. s. 6.

CORPORATION; See COMPANIES.

COSTS. Costs shall be given where damages are given. 6 Edw. 1. c. 1. s. 2.

If upon any action personal, in any of the Courts at Westminster, (not being of freehold, nor for battery, it shall appear, that the debt or damages to be recovered, shall not amount to 40s. no greater costs shall be awarded, than the sum of the debt or damages so recovered, shall amount to. 43 Eliz. c. 6. s. 2.

In any action wherein the plaintiff or defendant might have costs, if plaintiff be nonsuited, the defendant may have judgment to recover his costs against such plaintiff or demandant.

4 Jac. 1. c. 3. s. 2. See ACTIONS, and SLANDER.

COTTON-MANUFACTURE. Persons employed in the manufacture of hats, and in the woollen, linen, fustian, cotton, iron, leather, fur, hemp, flax, mohair, or silk manufactories, embezzling, &c. any of the materials, or reeling false or short yarn, (*for the first offence*) shall upon oath of the owner, or other witness, before a Justice, be committed to hard labour for 14 days, and to be once publicly whipped, and for every other offence commit. not exceeding 3, nor less than 1 month, and to be twice whipped. 22 Geo. 2. c. 27. s. 1.

Buying or receiving materials from workmen, knowing the same to be purloined, &c. (*shall for the first offence*) on oath of one witness, before a Justice, forfeit 20l. immediately, after satisfaction, &c. the remainder to the poor, and in default commit. to hard labour for 14 days, unless sooner paid, and if not within two days of that time, to be publicly whipped, and for every other offence 40l. and in default commit. not exceeding 3, nor less than 1 month, and if not paid within 7 days before those times, to be twice publicly whipped. *Idem.* s. 2.

Workmen not returning the remains of the materials within 21 days (if required) shall be deemed embezzlers. *Idem.* s. 7.

Journeyman not completing their work, shall on, &c. (*as above*) be committed to hard labour, not exceeding 1 month. *Idem.* s. 9.

Feloniously stealing any linen, fustian, callico, or cotton goods, &c. laid to be painted, whitened, bouked, bleached, or dried, to the value of 10s. or aiding therein, is felony *sanis*

sans clergy, or labour on the Thames, &c. 18 Geo. 2. c. 27. f. 1, 2.

Buying or receiving same, knowing them to be stolen, *the same.* *Idem.* See CALLICOES.

COUNTERFEITING. See BANK, COINING, COPPER, STAMPS, and STOCKS.

COUNTRY. No one inhabiting in the county any where out of any city, borough, town-corporate, or market-town, shall sell, or cause to be sold by retail, any woollen-cloth, linen-cloth, haberdashery, grocery, or mercery wares, at, or within, the cities, &c. or the suburbs, &c. thereof, (except in open fairs) *on pain of forfeiting, exclusive of the whole wares so sold, and proffered to be sold, &c. for every offence 6s. 8d. half to the King, and half to him who will sue in any Court of Record.* 1 & 2 Phil. & M. c. 7. f. 2.

COUNTY-COURT. See MIDDLESEX.

COVENTRY-ACT. See MAIN.

COW. Maliciously killing in the night-time, any sheep, bull, cow, ox, steer, bullock, heifer, calf, or lamb, *shall, by three Justices, be sentenced to labour on the Thames, &c.* 22 & 23 Car. 2. c. 7. f. 2. & 15 Geo. 2. c. 34. f. 1.

In like manner maiming, or otherwise hurting, whereby the same is not killed, *shall forfeit treble damages to the party grieved, by action of trespass, &c.* 22 & 23 Car. 2. c. 7. f. 5.

In like manner feloniously driving away, or otherwise stealing, or wilfully killing with intent to steal the carcase, &c. or aiding or assisting therein, *is felony, sans clergy.* 14 Geo. 2. c. 6. f. 1. & 15 Geo. 2. c. 34. f. 1. Prosecutor is intitled to a reward of 10l.

CROWN-DEBTS. See SHERIFF.

CURRIER. See CORDWAINER.

CUSTOMS. If any officer of the customs shall connive at, or assist in any fraud relative to certificate goods, *(over and above any other penalties to which he is liable), he shall forfeit his office, be rendered incapable, and suffer 6 months imprisonment, sans bail, &c.* 8 Ann. c. 13. f. 17. See BRANDY.

Or if any master, commander, or other person, belonging to any ship or vessel, shall assist in, or connive at, the fraudulent landing of any such goods, *he shall suffer imprisonment for 6 months, sans bail, &c.* *Idem.*

In case any carman, porter, waterman, or other person whatsoever, shall assist in, &c. (as above) *for the first offence, shall upon oath of 2 witnesses, before a Justice, be committed to*

the next goal, till they find surety for good behaviour, till thereof discharged by the Lord Treasurer, &c. 13 & 14 Car. 2. c. 11. s. 7.

Wharfinger, or keeper of a wharf, key, &c. knowingly suffering any prohibited or customary goods to be water-born or landed, without the presence, or notice given to an officer, *shall forfeit 100l. half to the King, and half to him that shall sue, to be recovered by information in the Courts of Record. 13 & 14 Car. 2. c. 11. s. 7, 31.*

And if any goods or merchandize, shall be laden or taken in from the shore, into any bark, lighter, &c. to be carried on board any ship or vessel outward bound, &c. or laden, or taken in from, or out of any ship, &c. coming in, &c. without a warrant, and the presence of one of the officers of the customs, *exclusive of the forfeiture of such bark, ship, &c. the master, purser, boatswain, or other mariner, knowing and consenting thereto, shall forfeit the value of the goods, &c. (as last). Idem.*

Unshipping any pepper, raisins, mace, cinnamon, cloves, nutmegs, snuffs, or any other sort of goods whatsoever, subject to the payment of duties, without paying the same, or importing any prohibited goods into Great-Britain, *exclusive of forfeiting same, together with the vessels, boats, horses, or other cattle and carriages, the persons assisting in such unshipping, or to whose hands the same shall knowingly come, shall forfeit treble value thereof, &c. to be recovered in a Court of Record. 8 Ann. c. 7. s. 17.*

Aiding, or being concerned in taking in foreign goods at sea, within 4 leagues from the coast, without paying the customs, &c. (unless in case of apparent necessity) *exclusive of forfeiting the same, and the vessel, (not exceeding 100 tons) into which the same shall be taken, shall forfeit the same, (as last) in a Court of Record, &c. 9 Geo. 2. c. 35. s. 23.*

The master, purser, or other person taking care of the vessel, out of which they are taken, *shall forfeit treble the value of the goods, &c. (as last). Idem.*

Offering any bribe, recompence, &c. to any officer of the customs or excise, to connive at, or permit any customable or prohibited goods, to be run on shore, or to do any other act, whereby his Majesty may be defrauded in his revenues, *shall forfeit 50l. in like manner. Idem. s. 24.*

Obstructing any officer of the customs or excise, (producing his warrant, if required) in going on board any coasting vessel,

fel, and searching for prohibited and uncustomed goods, or continuing on board during the vessel's stay, within the limits of the port, *shall forfeit 100l. in like manner. Idem. f. 29.*

Persons lurking within 5 miles of the sea coast, or a navigable river, (there being reason to suspect that they wait with intent to be aiding in running goods) and not giving a satisfactory account of themselves, *shall by a Justice, be committed to the house of correction, or common goal, not exceeding 1 month. N. B. 20s. to be paid by the Commissioners, &c. to the informer. 9 Geo. 2. c. 35. f. 18.*

Knowingly receiving or buying any run goods, *shall upon oath of one witness, before a Justice, forfeit 20l. to be levied by distress, half to the informer, and half to the poor, and in default of, distress, commit. for 3 months, sans bail, &c. 8 Geo. 1. c. 18. f. 10.*

Prohibited or run goods, or goods pretended to have been run, offered to sale, may be seized by the person to whom offered, or by an officer, &c. (provided that if seizure is made within the Bills of Mortality, then within 24 hours, if elsewhere, within 48 hours, they be put into the King's warehouse, or into the office of excise, &c.) *and the goods seized, with the packages, &c. and treble value shall be forfeited. See Excise Laws. 11 Geo. 1. c. 30. f. 18, 19, 39.*

Such goods, &c. may be seized from the buyer, *shall be forfeited, and also treble the value thereof, &c. vide Idem. Idem. f. 20.*

In both these cases, if no prosecution within a month, the warehouse-keeper may prosecute. *Idem. f. 21.*

Harbouring or concealing, or suffering to be, &c. any prohibited, exciseable, or run goods, liable to pay customs, (whether the offender claims any property in them or not), *exclusive of same, shall forfeit treble value. vide Idem. 11 Geo. 1. c. 30. f. 16, 39.*

All porters, and others, knowingly conveying, run, or prohibited goods, *shall upon oath of one witness, before a Justice, forfeit treble value of same, half to the informer, and half to the poor, to be levied by distress, and in default, commit. to the house of correction, to be whipped, and kept to hard labour, not exceeding 3 months. 9 Geo. 2. c. 35. f. 21.*

Any person armed with a club, &c. forcibly hindering, affronting, &c. to the hazarding of his life, any officer of the customs, &c. in the execution of his office, *he shall upon oath*

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of one witness, be committed to the next Quarter Sessions, and the Sessions shall punish him by fine, not exceeding 100*l*, half to the King, and half to the prosecutor, and shall remain in prison, 'till discharged by order of the Exchequer, both of the fine, and the imprisonment, or discover the person that set him on. 13 & 14 Car. 2. c. 11. f. 6,

All seizures of vessels, or boats, of 15 tons or under, by virtue of any act relating to the customs, for carrying uncustomed or prohibited goods, or for relanding debenture goods; and all seizure of horses, or other cattle, or carriages for carrying such goods, may be determined by two Justices of the peace, who are to issue warrants, &c. and shall adjudge the same, half to the King, and half to the person seizing. 8 Geo. 1. c. 18. f. 16, 17.

Persons forcibly hindering, wounding, or beating any officer of the customs, or excise, being on board any ship, in the execution of his office, either by night or day, shall be sent to labour on the Thames. 9 Geo. 2. c. 35. f. 28.

Any officer of the excise or customs, dealing in coffee, tea, brandy, or other exciseable liquors, exclusive of being rendered incapable to hold any office in the revenue, shall forfeit 50*l*. to any who shall sue for the same, to be recovered in the Courts at Westminster. 12 Geo. 1. c. 28. f. 7.

All brandy, arrack, rum, spirits, and strong waters, British or foreign, and all foreign exciseable liquors forfeited, together with the casks, and other package, may be seized by any officer of the customs or excise, or persons deputed by warrant from the Lord Treasurer, or under treasurer, or by special commission under the great or privy seal, and none other. 8 Geo. 1. c. 18. f. 24.

And if any one shall obstruct any officer of the customs or excise, in seizing or securing any of the said liquors, or endeavour to rescue them after seizure, or shall after seizure save, or any wise damage any cask, vessel, &c. he shall forfeit 40*l*. half to the King, and half to the prosecutor, to be recovered by information, in the Courts at Westminster. 8 Geo. 1. c. 18. f. 25.

If any wharfinger, crane-keeper, searcher, lighterman, weigher, or other officer of the customs, shall consent, or know any offence to be committed, &c. and do not within one month next after knowledge thereof, disclose the same to the chief customer, or other officer of the port, or else to the Lord Treasurer, Chancellor, or under treasurer, or one of

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of the Barons of the Exchequer, or the Attorney-general; *he shall for every such concealment, &c. forfeit and lose 100l. half to the King, and half to him that will sue, in the Courts of Record.* 1 Eliz. c. 11. f. 7.

Any officer of the customs, neglecting to seize and prosecute any vessel, boat, horses, or other cattle, or carriages, forfeited for running of brandy, &c. *he shall upon oath of one witness, before a Justice, forfeit 50l. half to the informer, and half to the King, to be levied by distress, and in default, commit. sans bail, &c. for 6 months.* 6 Geo. 2. c. 17. f. 10.

Persons employed about the customs, shall not demand or take any more fees than by law are due, nor shall put any person out of his turn, without express order before, or immediate approbation after, from the person, &c. appointed to manage the customs, nor shall illegally detain the goods of any person, nor shall neglect to make repayments, &c. nor shall after notice, neglect to give out and execute his warrant, *on pain of double costs and damages, half to the King, and half to such as shall sue, to be recovered by information in the Court of Exchequer.* 13 & 14 Car. 2. c. 11. f. 34. See OFFICERS of the Customs.

CUT-WORK. See EMBROIDERY.

CYDER. Every maker of cyder, and perry, (not being a compounder) is to enter his name, and the mill, presses, or other utensils, storehouses, and other places to be made use of, in writing, at the next office of excise, ten days before he begins to work. *on pain of forfeiting 25l.* See Excise Laws. 3 Geo. 3. c. 12. f. 9.

If any dealer in, or retailer, or factor of cyder or perry, shall cause such to be removed from the maker, to the person contracting, without the duties first charged, and without a certificate from the officer of excise, *shall forfeit 50l. vide Idem.* 6 Geo. 3. c. 14. f. 15, 16, 19.

Any maker of cyder, concealing any ditto, for every hog-shead, *shall forfeit 40s.* See Excise Laws. 7 & 8 W. 3. c. 30. f. 16.

Obstructing officers in the execution of their duty, or refusing, or staying cyder or perry, after seizure, *shall forfeit 40l. vide Idem.* 6 Geo. 3. c. 14. f. 17, 19.

If any maker or retailer of the same, on request or demand by gauger in the day time, or by night, in the presence of a constable,

a constable, shall refuse officer to enter, &c. *he shall forfeit 15l. vide Idem. 7 & 8 W. 3. c. 30. f. 17.*

Any dealer in cyder or perry, on request made by an officer of excise, in the day time, not permitting him to enter his cellars, storehouses, or other places, to take account *shall forfeit 20l. vide Idem. 4 Geo. 1. c. 3. f. 11.*

Every person making or keeping any wash, cyder, or other materials fit for distillation, and having in his possession any still, or stills, containing separately, or together, 10 gallons, or upwards, *shall upon oath of one witness, before a Commissioner or Justice, be deemed a common distiller for sale, and liable to the survey and duties. 33 Geo. 2. c. 9. f. 13. See ALEHOUSES, BREWER, and INFORMATION.*

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DANCING. See ENTERTAINMENT.

DEBTORS. See ARREST, GOALERS.

DEER. Any person armed and disguised, appearing in any forest, &c. or grounds inclosed, wherein deer are kept, or, if he shall unlawfully hunt, wound, kill, destroy, or steal any red or fallow deer, r, (whether armed or disguised or not), shall hunt, kill, &c. any such, in any forest, &c. it is death, *sans elergy. 9 Geo. 1. c. 22. f. 1. See ACT BLACK.*

Any person selling, or buying to sell again, any deer, *shall forfeit 40s. half to him that shall sue, and half to the poor, to be recovered by indictment at the General Quarter Sessions. 1 Jac. c. 27. f. 4, 5.*

Any person courting, killing, hunting, or taking away red or fallow deer, in any forest, chase, or other ground inclosed, when no deer is taken wounded, or killed, *shall upon oath of one witness, before a Justice, (at any time within 3 years) forfeit 20l. and if any taken wounded, or killed 30l. one-third to the informer, one-third to the owner, and one-third to the poor, &c. to be levied by distress, and in default, imprisonment for 1 year, and pillory for one hour, 3 W. & M. c. 10. f. 2. 9 Geo. 1. c. 22. f. 13.*

If upon search, any venison, or deer skins, or toils be found, and the person can give no satisfactory account, &c. *he shall forfeit 30l. (as last) Idem.*

If any person shall pull down, or destroy the pales or walls of any park, forest, or other inclosed ground, where red or fallow deer are kept, either in the night or day time, *he shall forfeit 30l. &c. (as last) 5 Geo. 1. c. 15. f. 6.*

If any keeper, or other officer of any forest, park, &c. shall kill, or take away, &c. any red or fallow deer, without the owners consent, or aiding therein, *he shall upon oath of one witness, before a Justice, forfeit 50l. for every deer, one third, &c. (as last), to be levied by distress, and in default imprisoned, sans bail, &c. for 3 years, and pillory for 2 hours, &c. Idem. f. 5.*

If any person armed, shall come into any forest, chace, or park, wherein deer are usually kept, (whether inclosed or not) with an intent to kill, wound, or take away, any red and fallow deer; and shall there unlawfully beat, or wound any keeper, or page, &c. of any such forest, &c. in the execution of their office, *he shall, at the goal delivery, be sentenced to work upon the Thames, &c. 10 Geo. 2. c. 32. f. 9.*

If any person shall enter into any inclosed grounds, where deer are usually kept, and shall wilfully wound, or kill, any red or fallow deer, or aid, &c. therein, without consent, &c. *he shall upon indictment at the assizes, &c. be sent to hard labour on the river Thames. 5 Geo. 1. c. 28. f. 1.*

Any prosecution against deer stealers, may be commenced within 3 years. *9 Geo. 1. c. 22. f. 13.*

DEMOLISHING Houses. See **BUILDING.**

DEODANDS. Wherever any thing which is the occasion of a man's death, is in motion at the time, not only that part thereof which immediately wounds him, but all things which move together with it, and help to make the wound more dangerous, *are forfeited*; though nothing can be considered as such, till it be found by the coroner's inquest, to have caused a man's death. *Common Law.*

DESERTING. See **OFFICER**, and **SOLDIERS.**

DILAPIDATIONS. All sums of money recovered for dilapidations, shall within 2 years after be employed in repairs, *on pain of forfeiting, double the sum received, and not employed, to the King. 14 Eliz. c. 11. f. 18.*

DIRT. See **WESTMINSTER.**

DISCOVERY. See **ACCOMPLICE**, **BRASS**, and **COINING.**

DISORDERLY. Idle and disorderly persons, *shall upon oath of one witness, before a Justice, or upon the Justices own view, be committed to house of correction to hard labour, not exceeding one month,*

month, and order the overseer, &c. to pay 5s. to the person apprehending.—If they shall resist or escape from the person apprehending them, they shall be punished as rogues and vagabonds. 17 Geo. 2. c. 5. f. 1.

Idle and disorderly persons are, 1. All persons who threaten to run away, and leave their wives and children to the parish. 2. All persons who shall unlawfully return to the parish, or place from whence they have been legally removed, by order of 2 Justices, without bringing a certificate from the parish, or place whereunto they belong. 3. All persons not having wherewith to maintain themselves, live idle, without employment, and refuse to work for the usual wages given to other labourers there. 4. All persons going about from door to door, or placing themselves in the streets, highways, or passages, to beg alms, in the parish, &c. where they dwell. 17 Geo. 2. c. 5. f. 1.

DISTILLER. If any distiller, or other person, shall knowingly sell, or cause, &c. directly, or indirectly, any distilled spirituous liquors to any person to be unlawfully retailed, *he shall forfeit 10l. and treble the value, half to the King, and half to the prosecutor, to be recovered by action in the Courts at Westminster.* 24 Geo. 2. c. 40. f. 12.

Setting up any still, or other vessel, for making of spirits, or strong waters for sale, or making use of any private warehouse, cellar, &c. for the laying of the same, without first giving notice thereof, at the next office of excise, within the limits whereof he shall inhabit, *shall forfeit, for every such 20l.* See Excise Laws. 3 W. & M. c. 15. f. 1.

And every other person, in whose occupation any house, &c. where any such private still, &c. *shall also forfeit 20l. vide Idem. Idem.*

If any common distiller of spirits, or strong waters for sale, shall conceal the same, from the sight of the gauger, &c. he shall for every gallon, *forfeit 5s. vide Excise Laws. Idem. f. 2.*

No common distiller, or maker of low wines, spirits, or strong waters, shall set up any vessel, &c. for brewing, &c. nor alter the same, nor have any of them concealed, ; nor have any place for making, or keeping the same, without first giving notice at the next office of excise, *on pain of forfeiting for every such tun, place, &c. 20l. vide Idem. 8 & 9 W. 3. c. 19. f. 10.*

Every person in whose occupation any of the same shall be found, *shall forfeit 50l. vide Idem. Idem.*

If any utenfil, vessel, &c. or spirits, &c. or any materials for distillation, shall in consequence of a warrant to an officer of the excise, from a Justice of peace, (to break open, &c.) be seized and detained, exclusive of the same, the proprietor or person in whose custody the same shall be found, for every such vessel, &c. *shall forfeit 200l. vide Excise Laws. 10 & 11 W. 3. c. 4. s. 7. & c. 21. s. 23.*

If any person shall obstruct such officer, *he shall forfeit 200l. vide Idem. 10 & 11 W. 3. c. 4. s. 8.*

Every distiller shall ten days before he distils, or makes any spirituous liquors, make entry at the next office of excise, of every vessel, &c. as he shall make use of for the purposes aforesaid, *on pain of forfeiting for every other vessel, &c. used and not entered 50l. vide Idem. 24 Geo. 2. c. 40. s. 18.*—The same being entered, shall be shewn to the officer, and the officer shall mark them with a particular and durable mark, and every vessel, &c. used by such distiller, without being so shewn or marked, shall be deemed a vessel, of which no entry has been made; and if any person shall rub out or deface such mark, *he shall forfeit 20l. vide Idem. 24 Geo. 2. c. 40. s. 18.*

No distiller, or maker of low wines, spirits, aqua vitæ, or strong waters, shall charge his still with wash, or other materials, without first giving 6 hours notice, &c. unless from the 29th of September, to the 25th of March, yearly, between 5 in the morning, and 8 in the evening, and from the 25th of March, to the 29th of September, yearly, between 3 in the morning, and 9 in the evening; and if he shall not charge his still according to such notice, he shall give another like notice, and if he begin without giving such notice, *he shall forfeit 100l. vide Idem. 33 Geo. 2. c. 9. s. 14, 19.*

No distiller, or dealer in spirits, shall have any still, or stills, unless such, if a single one, or such stills taken together, shall contain at least 100 gallons, *on pain to forfeit, for every such still, 100l. and such stills as contain separately less than 100 gallons, shall be all placed in one workhouse, on the like pain. Vide Excise Laws. 2 Geo. 3. c. 5. s. 12.*

The officer to keep an account of the several sorts of wash, in the hands of distillers, and to charge for materials missing, &c. *4 Ann. c. 12. s. 4.*

No distiller shall distil, or carry out spirits, or aqua vitæ, &c. to any of his customers, in casks, or by the gallon, without notice thereof first given to the officer of excise, unless

less from September 29th, to March 25th, yearly, between 5 in the morning, and 8 in the evening, and from March 25th, to September 29th, yearly, between 3 in the morning, and 9 in the evening, *on pain of 10l. vide Excise Laws. 7 & 8 W. 3. c. 30. f. 15.*

No distiller shall have any private pipe, stop-cock, or other conveyance, &c. by which any liquor fit for distillation may be conveyed, &c. *on pain of 100l. 10 & 11 W. 3. c. 4. f. 3.*

If any person shall obstruct any officer of excise in searching for such private pipe, &c. *he shall forfeit 100l. vide Idem. Idem. f. 5.*

Every distiller within the Bills shall, 24 hours at least, and elsewhere 48 hours, before he receives any fermented wash, give notice thereof to the officer of excise, and of the quantity and species, *on pain of 50l. vide Idem. 24 Geo. 2. c. 40. f. 20.*

If any person distilling or extracting spirits from corn or grain, or any mixture therewith, shall compound any spirits into gin, &c. or shall have any interest, &c. in such business, *shall forfeit 100l. and his heirs, &c. shall be disabled to sue for any debt, upon the account thereof. 33 Geo. 2. c. 9. f. 17. See CYDER, INFORMATION, OFFICERS of the CUSTOMS and EXCISE, and TURPENTINE.*

DISTRESS. Justices of peace, issuing warrants of distress for the levying penalties, (provided that nothing herein shall extend to tithes and church rates by quakers) are to limit the time for the sale of goods so distrained, and to be not less than 4 days, nor more than 8, and the officer executing same, if required, shall shew his warrant, and suffer a copy to be taken, *27 Geo. 2. c. 20. f. 1, 2, 3. See LANDLORD.*

DITCHES. See FENCES, and HIGHWAYS.

DOG. If any one shall steal any dog whatsoever, or sell, buy, receive, harbour, detain, or keep any such, knowing same to be stolen, *shall upon oath of one witness, before 2 Justices, for the first offence forfeit not exceeding 30l. nor less than 20l. half to the informer, and half to the poor, with all charges, &c. immediately, or be committed, sans bail, &c. not exceeding 12 calendar months, nor less than 6, unless, &c. and for every other offence, not exceeding 50l. nor less than 30l. and in default, commit. not exceeding 18, nor less than 12 months, and to be once publicly whipped; and in case such dog, or the skin of such dog, shall upon search, (in consequence of a warrant) be found, and it shall appear, that such person was privy to*

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the theft, *he shall forfeit, (the same, &c.)* 10 Geo. 3. c. 18. f. 1, 2. See GAME.

DOWER. See TREASON.

DRAWBACK. If any person shall reland tobacco, or other foreign goods, unless in cases of distress, *exclusive of forfeiting the same*, the person relanding, or concerned therein, or into whose hands they shall come knowingly, &c. or by whose privity they are relanded, *shall forfeit double the value of the drawback, together with the vessel, &c. made use of, &c. half to the King, and half to the person seizing, to be recovered by information in a Court of Record, or two Justices.* 8 Ann. c. 13. f. 16. & 8 Geo. 1. c. 18. f. 16.

DRAY. See CART.

DRIVERS. See CARRIAGES, CARTS, CATTLE, and COACHES.

DUTIES. Any offence touching the duties on stamped vellum, parchment, or paper, not exceeding 20*l.* or offences against any of the stamp acts, relating to said duties, by which any sum of money only may be forfeited, may be determined by two Justices. 10 Ann. c. 19. f. 172.

Selling, or exposing to sale, any almanack, news-paper, book, pamphlet, or paper, deemed to be a news-paper, unstamped, *shall upon conviction, on oath of one witness, before a Justice, be committed to the house of correction, not exceeding 3 months.* 16 Geo. 2. c. 26. f. 5. & 30 Geo. 2. c. 19. f. 26. & 13 Geo. 3. c. 65. f. 1. N. B. The informer on producing a certificate thereof to be paid 20*s.* by the receiver general of the stamp duties.

DYING. No person to dye any baize or other woollen, as, or for, mather-blacks, but with woad, indigo, and mather only; or any cloths, &c. not being woaded throughout, (*see under*). 13 Geo. 1. c. 24. f. 1. N. B. The penalties are different, according to the number of yards.

All woollen goods truly mathered, shall be marked with a red rose, and a blue rose, and all such truly woaded throughout, with a blue rose only; and if any person shall affix any such mark falsely, *he shall forfeit, for every piece so marked 4*l.** (*see under*). 13 Geo. 1. c. 24. f. 2.

No person shall use, or cause to be used, logwood in dying of blue, *the penalties are various.* Idem. f. 3.

Penalties of this act exceeding 5*l.* to be recovered by action in the Courts at Westminster, any such not exceeding that sum, to be determined by two Justices, on oath of one witness; and in London, and within 10 miles thereof, one half to go to the informer,

mer, and the other half to the company of dyers; and beyond that compass, the whole to the informer; and in default of payment where not above 5*l.* by the space of 20 days after conviction, to be levied by distress, and in default, to be committed to the house of correction, to hard labour, not exceeding 3 months. N. B. Prosecution to be within 40 days, (and liberty of appeal is allowed). *Idem.* *f.* 5.

E.

EGGS. If any person shall take the eggs of any pheasant, partridge, or swans, out of the nests, or destroying the same in the nest, he shall on oath of two witnesses, before two Justices, be committed to the common goal for 3 months, sans bail, &c. unless he shall pay for every egg 20*s.* to the poor, or after 1 month after his commitment, together with two sufficient sureties, shall become bound by recognizance in 20*l.* each, with condition that the offending party, shall not any time afterwards take, &c. 1 *Jam.* 1. c. 27. *f.* 2.

If any person shall take or destroy, from the first of March, to the last of June, the eggs of any mallard, teal, or other wild fowl, he shall for every egg, forfeit one penny; for every such of any crane or bustard, 20*d.* and of every bittern, heron, or shoveland, 8*d.* and 1 years imprisonment, half to the King, and half to the prosecutor. N. B. The Justices within the limits of their commission may determine, &c. 25 *Hen.* 8. c. 11. *f.* 5.

EJECTION. See **LANDLORD.**

ELECTION. Any collector, supervisor, gauger, or other person concerned in managing the duties of excise, by word, message, or writing, or in any other manner, endeavouring to persuade any elector to give, or dissuade any elector from giving his vote for a member of parliament, (exclusive of being incapable to hold any office of trust) shall forfeit 100*l.* half to the poor, and half to the prosecutor, to be recovered by action in the Courts of Record at Westminster. 5 *W.* 3. c. 20. *f.* 48. See **POST.**

EMBEZZLING. Servants embezzling their master's goods to the value of 40*s.* or above, is felony, &c. 21 *Hen.* 8. c. 7. *f.* 1. & 5 *Eliz.* c. 10. *f.* 1, 3. N. B. This does not extend to an apprentice, or other person under 18, though the same, even if the value be under 40*s.* is indictable at Common Law.

If

If any person having the charge of any armour, ordnance, munition, shot, powder, or habiliments of war, belonging to his Majesty, or victuals, provided for victualling soldiers, &c. shall embezzle the same, to the value of 20s. *it is felony.* 31 Eliz. c. 4. §. 1. N. B. All impeachments on this statute, to be prosecuted within the year. See CLOCKS, COTTON, and OFFICERS of the Customs.

EMBROIDERY. Any person importing foreign fringe, bone-lace, cut-work, embroidery, fringe, bandstrings, buttons, or needle-work, into England, or Wales, *shall forfeit (exclusive of fame) 100l. half to the King, and half to him who shall sue by action of debt in the Courts of Record.* 13 & 14 Car. 2. c. 13. §. 2.

Any one selling, or cause same to be sold, or offering to sale, *shall forfeit (exclusive of the same) 50l. in like manner.* Idem.

ENGINES. See CHURCHWARDENS.

ENGLAND. Any person against whom a warrant shall be issued by a Justice of peace in England, and who shall escape into Scotland, may be apprehended, (the said warrant being indorsed by any Justice, &c. of the peace, where such offender shall escape) and conveyed into any part of England, next adjacent to the said part of Scotland, where, &c. before one of the Justices of such county, who is to proceed against such offender, as if apprehended in the said county. 24 Geo. 2. c. 55. §. 1. & 13 Geo. 3. c. 31. §. 1.

Persons guilty of offences in Scotland, *may be apprehended and returned in like manner.* 13 Geo. 3. c. 31. §. 2.

Persons who have stolen, &c. in any part of the united kingdoms, and shall afterwards have the same in their possession, in the other part of the united kingdom, may be indicted, &c. for theft or larceny, in that part thereof where they shall so have the same in their possession. Idem. §. 4.

Receivers thereof, knowing same to have been so stolen, may likewise be indicted in that part thereof where they shall so receive, or have the same in possession, as if the same had been originally stolen there. Idem. §. 5.

ENLIST. See SOLDIER.

ENTRY. None shall make entry with strong hand into lands and tenements, or into benefices, or offices of holy church, or other possessions whatsoever, and hold them with force, *on pain of imprisonment, and to make fine to the King.* 15 Rich. 2. c. 2. §. 1. N. B. The complaint thereof coming to any Justice

ticc of the peace, he may take sufficient power of the county, and go to the place where such force is made, and if he finds any that holds such place forcibly after such entry made, they may be taken and put in the next goal, there to abide convict by the record of the same Justice, and all the people of the county, as well Sheriffs as others, shall be attendant upon such Justice therein, on pain of imprisonment, and to make a fine to the King.

ENTRIES. Common brewers who do not once a week make duty entries, shall forfeit 10*l.* vide *Excise Laws.* 12 *Car. 2. c. 24. f. 30.*

Every inn-keeper who doth not so once a month, shall forfeit 5*l.* vide *Excise Laws.* *Idem.*

Every alehouse-keeper, victualler, or other retailer, who doth not so once a month, shall forfeit 20*s.* vide *Idem. Idem.* See **CANDLES**, and **INFORMATION**.

ENTERTAINMENT. The keeper of any house, room, garden, or other place kept for publick dancing, music, or other entertainment, &c. in London, or within 20 miles thereof, without license, &c. shall forfeit 100*l.* to him who shall sue, by action in the Courts at Westminster within 6 months. 25 *Geo. 2. c. 36. f. 2, 13, 14.*

EQUITY of Redemption, Debtors upon judgment, &c. taking up money of another upon mortgage, without giving notice of the judgment to the mortgagee, shall lose his equity of redemption, and such persons mortgaging twice, without notice to the second mortgagee the like; here the under mortgagees have power to redeem if they please. 4 & 5 *W. & M. c. 16. f. 2, 3, 4.*

ESCAPE. Escape warrants granted by any judge, &c. may be executed on a Sunday. 5 *Ann. c. 9. f. 3.*

Assisting any prisoner for treason, or felony, (except petit larceny) to escape, is felony, and labour on the river Thames. 16 *Geo. 2. c. 31. f. 1.*

And for any crime not being treason nor felony, (or for any debt under 100*l.*) is a misdemeanour, and the offender liable to fine and imprisonment. *Idem.*

Conveying any disguise, instrument, or arms, without the knowledge of the keeper, with intent to aid any one lawfully commit. for treason or felony, is felony, and labour on the river Thames. *Idem. f. 2.*

The like for any crime not being treason or felony, &c. shall be liable to fine and imprisonment. *Idem.*

Assisting

Assisting any prisoner to attempt to make his escape from a constable, &c. who shall then have the lawful charge of such prisoner, in order to carry him to goal, for treason or felony, &c. is felony, and labour on the Thames. *Idem.* f. 3. N. B. Prosecution by this act to be within 1 year. See ENGLAND, and GOAL.

ESTREATS. Every clerk of the peace, and all town-clerks, shall deliver to the Sheriff of the county, city, or town-corporate, where the Sessions of peace shall be kept, within 20 days after the 29th of September yearly, a perfect estreat or schedule, of all fines, issues, amerciaments, recognizances, and other forfeitures whatsoever, &c. by any person due to his Majesty, and return a duplicate thereof into the Exchequer, before the second Monday after the morrow of All Souls; on pain of 50*l.* half to the King, and half to him who will sue by action of debt in the Courts of Record. 22 & 23 Car. 2. c. 22. f. 7.

By the 3 Geo. 1. c. 15. f. 12. over and above the penalty in the above act, f. 9. the Barons of the Exchequer may amerce such clerks, &c. or other person, for neglecting to return estreats at the times, &c. and may cause such amerciaments to be levied, &c. as usual.

EXCISE-LAWS. All fines, penalties, and forfeitures, imposed by this, or any other act relating to the duties of Excise, shall be sued for, levied, recovered, or mitigated, by any law of Excise, or in the Courts at Westminster, and shall be half to the King, and half to him that shall inform, (that is to say) If within the limits of the chief offices in London, the offence shall be determined by the Commissioners, (or any three of them) 1 Geo. 2. st. 2. c. 16. f. 4, 5. and in all other places, by two or more Justices of the peace residing in, or near the place where, &c. and on due proof made thereof, either by confession, or by the oath of one witness, to give judgment, and to issue warrants, &c. for levying the same on the goods of the offender, and to cause a sale thereof, if not redeemed in 14 days, and in default of distress, to imprison the party offending, till satisfaction made. Provided nevertheless, that the Justices, Commissioners, &c. where they shall see cause, may mitigate, compound, or lessen the forfeiture, &c. so as the same be not made less than double the value of the duty of excise, which ought to have been paid, besides the reasonable costs of such officers or others as were employed therein, to be allowed by the said Justices, &c. 12 Car. 2. c. 24. f. 45, 46. & 24 Geo. 2. c. 40. f. 29.

In case the offender shall remove out of the jurisdiction, the Commissioners and Justices respectively, within whose jurisdiction such person charged with any act concerning the duties of excise shall be found, may summons, hear, &c. in the same manner (as above). 18 Geo. 2. c. 26. f. 13. & 5 Geo. 3. c. 43. f. 26.

If any witness summoned to appear before Commissioners and Justices, at a certain day, &c. and shall neglect or refuse to appear, or upon appearance, refuse to give evidence, *he shall forfeit 10l. vide sup. 7 & 8 W. 3. c. 30. f. 24.*

If any person shall land foreign exciseable liquors, before duty paid, *the same to be forfeited, or the value thereof, by the importer or proprietor. vide sup. 22 & 23 Car. 2. c. 5. f. 9.*

If any person shall oppose or obstruct, any officer of the excise, in the execution of his duty, *he shall forfeit 10l. vide sup. 6 Geo. 1. c. 21. f. 7.*

Any person opposing any officer of excise in the day time, and in the presence of a constable, in search of private utensils, or any pipe or conveyance leading thereto, *he shall forfeit 20l. vide supras 7 & 8 W. 3. c. 30. f. 27.*

Any inn-keeper, victualler, or other retailer of beer or ale, without first giving notice, erecting, altering, or enlarging any tun, fat, back, cooler, or copper, and making use thereof for brewing, &c. (*exclusive of forfeiting the same to the poor*) *he shall forfeit 50l. vide sup. 15 Car. 2. c. 11. f. 2.*

Officers of excise may go on board any ship, &c. and search for any exciseable goods, and seize all such as shall be forfeited, and such as shall be unshipped before entry, and payment of the duties, together with casks and other package. *vide sup. 11 Geo. 1. c. 30. f. 1, 39.*

Obstructing any officer of the excise, by special warrant authorised, to search any places where he has cause to suspect that any foreign spirits are fraudulently concealed, by day or by night (in the presence of a constable) entering, seizing, and carrying away the same as aforesaid, together with the casks or vessels, *shall forfeit 100l. vide sup. Idem. f. 2.*

Notice of the seizure of all goods for unlawful importation, or for non-payment of duties, or for any other cause of forfeiture, must be given to the next officer of excise, supervisor, &c. in 48 hours, &c. nor shall the same be afterwards removed without a permit, *on pain of being re-seized, &c. vide Idem. 12 Geo. 1. c. 28. f. 1, 6.*

Obstructing

Obstructing any excise officer by day or by night, (in the presence of a constable) in entering warehouses, &c. to take an account of brandy, &c. *shall forfeit 50l. vide Idem. 6 Geo. 1. c. 21. f. 14.*

If any person shall obstruct them in taking samples of spirits, and of the feints, &c. paying for such spirits at the rate of 10s. per gallon, and for the feints, &c. 1s. per gallon, *shall forfeit 50l. vide Idem. 24 Geo. 2. c. 40. f. 19.*

If any person shall sell any exciseable liquors by retail, without license, for the first offence, *upon oath of two witnesses, before one Justice, shall forfeit 40s. and all costs, &c. in default, after 14 days commit. for one month, unless sooner paid; for the second offence 4l. with costs, and in default for one week, commit. for 2 months, unless, &c. and for the third offence 6l. with costs, and in default for 3 days, commit. for 3 months, unless, &c. half to the King, and half to the informer. 5 Geo. 3. c. 46. f. 20, 22.*

Commissioners of excise, or for the duties on vellum, parchment, and paper, not paying any of the sums appointed to be paid by them severally, and in such manner as they are respectively required, or diverting, or misapplying any part thereof, *exclusive of their offices, and being rendered incapable, they shall pay double the value of every sum so misapplied, to any person intitled to any annuity out of the fund, &c. and who will sue for the same by action in the Courts of Record. 9 & 10 W. 3. c. 44. f. 42.*

If any person employed about the duty of excise, shall demand, or receive any money from any person, save his Majesty, *he shall upon oath of two witnesses, before two Justices, be rendered incapable of holding any office, &c. for the future. 1 W. & M. c. 24. f. 15.* See APPEAL, CONSTABLE, CUSTOMS, ELECTIONS, OFFICER OF EXCISE, SCALES, and SPIRITUOUS LIQUORS.

EXECUTORS. Executors and administrators, wasting or converting any goods, chattels, estate, or effects, of, &c. to their own use, *shall be liable and chargeable, as the testator or intestate would have been if living. 13 Car. 2. c. 7. f. 2. & 4 & 5 W. & M. c. 24. f. 12.*

Servants not answering to executors, shall be committed until, &c. by the Court of King's Bench. *33 Hen. 6. c. 1. f. 2.*

EXTORTION. As it is the taking of money by any officer by colour of his office, either where none is due, or not so much due, or before it is due, *it is punishable upon indictment, by fine and imprisonment. Wood's Inst. c. 3. p. 416, 417.*

Officers of justice, &c, guilty of extortion, (*exclusive of their office*) shall forfeit treble value to the complainant. 3 Edw. 1. c. 30. f. 1.

F.

FAIR. See TOLLS.

FARES. The fares of hackney-coachmen, by the hour, not above 1s. 6d. for the first hour, and 1s. for every hour after, and not above 1s. for any distance not exceeding 1 mile and an half, nor above 1s. 6d. for any distance above that, and not exceeding 2 miles, and for the day, not above 12s. 6d. reckoning 12 hours to the day. 9 Ann. c. 23. f. 6, '7. & 7 Geo. 3. c. 44. f. 17. See CHAIRMAN.

FARMS. No man shall take above two farms, and none two, except he or they be dwelling within the said parishes, where such holds be, upon pain of forfeiture for every week that he shall take any profits, &c. 3s. 4d. half to the King, and half to him who will sue by action in the King's Courts. 25 Hen. 8. c. 13. f. 14. N. B. Prosecution to be within 1 year after the offence. See CLERGY.

FEES. See GOALER.

FELONS. Felonies within clergy may be punished with hard labour on the river Thames. 4 Geo. 1. c. 11. f. 1.

The goods of felons attainted are forfeited to the King. 17 Edw. 2. c. 16. f. 1.

If any one apprehended upon any general privy search, or by virtue of any special warrant, shall be charged before two Justices, with being a rogue and vagabond, or with suspicion of felony, (though no direct proof be then made thereof) and (the Justices may examine such persons on oath, not only as to his settlement, but also as to his means of livelihood; the substance of which examination must be put into writing, &c.) if he shall not give a satisfactory account of himself, or shall not procure some responsible housekeeper to appear to his character, and to give security for his appearance before the Justices on some other day, he shall be committed to prison or house of correction, not exceeding 6 days, and in the mean time, to order an advertisement to be published describing him, &c. 25 Geo. 2. c. 36. f. 12.

No Sheriff, under-sheriff, escheator, bailiff of franchise, nor any other person, shall seize the goods of any person arrested

rested or imprisoned for suspicion of felony, before the same be convicted or attainted of the same according to law, *on pain of forfeiting double the value of the goods so taken, to the party grieved, by action of debt in the Courts of Record.* 1 Rich. 3. c. 3. f. 1. See BURGLARS, INDICTMENT, JUSTICES, and REWARDS.

FENCES. If any person shall wrongfully break open, throw down, &c. any hedges, gates, posts, stiles, rails, fences, ditches, banks, or inclosures of woods, plantations, fruit-trees, &c. *he shall upon oath of one witness, before two Justices, be committed to the house of correction for 3 months, and to be publickly whipped by the master once a month, and where no house of correction, to the prison for 4 months, to be publickly whipped by the common hangman every month,* 1 Geo. 1. stat. 2. c. 48. f. 1, 2, 3. & 6 Geo. 1. c. 16. f. 2. N. B. Before such offender be discharged, he shall find sufficient sureties for his good behaviour for 2 years.

Wilfully destroying any fence for dividing or inclosing any common waste or other lands, in pursuance of any Act of Parliament, *is felony, and labour on the river Thames.* 9 Geo. 3. c. 29. f. 3. N. B. Prosecution to be in 18 months.

FINES excessive. See BAIL.

FIRES. Any servant through negligence or carelessness, firing, or causing to be fired, any dwelling houses, outhouse, or other building, situate within the limits of London and Westminster, *shall upon oath of one witness, before two Justices, forfeit 100l. to church-wardens, for the sufferers immediately, and in default, commit. to the common goal or house of correction to hard labour, for 18 months.* 12 Geo. 3. c. 73. f. 35. & 6 Ann. c. 31. f. 3.

If any person shall burn any grig, ling, heath, furze, goss or fern, on any mountains, hills, heaths, moors, forests, chaces, or other wastes, between the 2d of February, and 24th of June, *shall upon indictment at the Assizes, be committed to the house of correction to hard labour not exceeding 1 month, nor less than ten days, and to be whipped.* 4 & 5 W. & M. c. 23. f. 11.

If any one shall burn or destroy any goss, furze, or fern, in any forest or chace, without consent, &c. or shall be aiding, abetting, &c. in such burning, *he shall upon oath of one witness, before a Justice, forfeit not more than 5l. nor less than 40s. half to the informer, and half to the poor, &c. to be levied by*

by distress, and in default, be committed to the common goal, not more than 3 months, nor less than one. 28 Geo. 2. c. 19. f. 3.

If any ship-officer shall wilfully burn the ship to which he belongeth, or shall procure the same, to the prejudice of the owners, &c. *is felony sans clergy.* 1 Ann. stat. 2. c. 9. f. 4.

The like, by any person of his Majesty's ships of war, either on float or building, or any of his Majesty's arsenals, magazines, dock-yards, rope-yards, victualling-offices, or any of the buildings erected thereon, or any timber or materials, &c. or any of his Majesty's military, naval, or victualling stores, or other ammunition of war, *is felony sans clergy.* 12 Geo. 3. c. 24. f. 1.

If any one shall wilfully or unlawfully burn, or cause to be burned, any wain or cart, laden with coals or with any goods or merchandize, or any heap of wood prepared, &c. for making coals, billet, or talwood, *shall forfeit treble damages to the party grieved, and 10l. to the King, to be recovered by action of trespass.* 37 Hen. 8. c. 6. f. 4.

If any armed, &c. shall set fire to any house, barn, or out-house, or to any hovel, cock, mow, or stack of corn, straw, hay, or wood, *is felony sans clergy.* See ACT-BLACK. N. B. There must be an actual burning. 9 Geo. 1. c. 22. f. 1. See CHURCHWARDENS, and COLLIERIES.

FIREWORKS. Any person making or causing to be made, any squibs, or other fireworks, or any implements for making the same, *shall upon oath of two witnesses, before a Justice, forfeit 5l. half to the prosecutor, and half to the poor, to be levied by distress.* 9 & 10 W. 3. c. 7. f. 2.

Any person permitting the same to be cast, or fired from his house, or other place thereto belonging, into any public street or road, or any other house or place, *shall in like manner forfeit 20s. Idem.*

Casting or firing, or aiding therein, any ditto, *shall forfeit the same, &c. and in default commit. to the house of correction to hard labour, not exceeding one month, unless, &c. Idem.*

FISH. If any person shall take, kill, or destroy, any fish in any river, pond, &c. not being inclosed in any park, garden, &c. but in any other inclosed ground, which shall be private property, *he shall upon oath of one witness, before a Justice, forfeit 5l. immediately to the owner, and in default, be committed to the house of correction, not exceeding 6 months, unless sooner paid.* 5 Geo. 3. c. 14. f. 3. N. B. The penalty may be recovered by action within 6 calendar months.

If any person shall take, kill or destroy, or knowingly have in his possession, either on the water, or on shore, any spawn, fry, or brood of fish, unsizeable fish, fish out of season, or smelts less than 5 inches long, *he shall, by one Justice, forfeit such spawn, &c. to the prosecutor, and 20s. half to the prosecutor, and half to the poor; but if in Westminster, half to the prosecutor, and half to the Trustees of the fish-market, to be levied by distress, and in default be committed to hard labour, not exceeding 3 months, unless sooner paid.* 33 Geo. 2. c. 27. s. 13, 15.

If any person shall enter into any contracts for buying up fish to be sold again by retail, before such fish shall be brought to an open market, and there exposed to a publick sale; such contract shall be void, and each party shall forfeit 50l. half to the Trustees, and half to him that shall sue by action in the Courts of Record at Westminster. 22 Geo. 2. c. 49. s. 9.

Any person armed and disguised, stealing any fish out of any river or pond, is felony sans clergy. 9 Geo. 1. c. 22. s. 1. Or, shall unlawfully break down the head, &c. of any fish-pond, whereby the fish shall be destroyed, is the same. *Idem.*

FLAX. See COTTON, and HEMP.

FOREIGN-SERVICE. If any person shall contract with, entice, or endeavour to persuade any manufacturer or artificer, &c. for the first offence he shall forfeit 500l. half to the King, and half to the prosecutor, and suffer imprisonment for 12 months, and until payment, and for the second offence 1000l. and imprisonment for 2 years, and until payment; half to the King, and half to him who will sue by action in the Courts of Record. 23 Geo. 2. c. 13. s. 1, 2. See SOLDIER.

FORESTALLERS. Foretallers, regrators, and ingrossers, for the first offence, shall by two Justices, on oath of two witnesses, by information or presentment, &c. be imprisoned sans bail, for 2 months, and forfeit the value of the goods, cattle, or victuals so bought, half to the King, and half to the informer, &c. for the second offence, half a year's imprisonment, and double the value, &c. and for the third, to stand in the pillory, forfeit all his goods, and be imprisoned during the King's pleasure. 5 & 6 Edw. 6. c. 14. s. 1, 2, 3, 4, 5, 6, 10. N. B. To be within 2 years. s. 14.

FORESTS. Officers, and keepers of forests and chaces, may seize and take away for their own use any instrument, &c. used by any person unlawfully cutting or destroying, &c. any tree, underwood, or covert. 4 Geo. 3. c. 31. s. 6. See DEER.

FORFEITURES.

FORFEITURES. Forfeitures in high-treason, are *to the King*; in petty-treason, *to the Lord of the fee.* 25 Edw. 3. stat. 5. c. 2. f. 1.

FORGING. Forging any deed, will, testament, writing-obligatory, bond, bills of exchange, or promissory note for payment of money, or any acquittance, either for money or goods, or uttering same as true, *is felony sans clergy.* 2 Geo. 2. c. 25. f. 1. See BANK.

FOUNDINGS. Foundlings and parish children within the Bills, may be bound as apprentices by the proper officers, &c. for 7 years, or till the age of 21, and no longer. 7 Geo. 3. c. 39. f. 14.

FRAME-WORK. All frame-work knitted pieces, and stockings, (except of silk) containing three or more threads, are to be marked with the same number of ilet holes, and masters not marking them, *shall upon oath of one witness, before a Justice, forfeit for every such piece, over and above the same 5l. half to informer, and half to the poor, to be levied by distress, and in default commit. sans bail, &c. to common goal, not exceeding 3 months, unless, &c.* 6 Geo. 3. c. 29. f. 1, 11.

Journeymen, apprentices, &c. not marking such goods, (unless they make it appear that they acted according to their master's direction, in which case they are exempted) *shall in like manner, &c. &c. forfeit not exceeding 40s. nor less than 5s. Idem. f. 5, 6, 11.*

If any person sell, or expose to sale, any such (except they discover the vender, so as he shall be convicted, &c.) *he shall forfeit the same, and for every piece 5l. in like manner, &c. Idem. f. 7, 11.*

In this act nothing shall extend to any rights, &c. belonging to the Master, &c. of the Company of Frame-work knitters. *Idem. f. 12.*

FRAUDS. Knowingly and designedly by false pretences, obtaining from any person money, goods, &c. with intent to defraud, &c. or sending any letters, &c. with intent to extort, &c. *to be fined and imprisoned, or be put in the pillory, or publicly whipped, or to be sent to hard labour on the Thames, &c. one Justice may commit him, on oath of one witness, or admit him to bail.---If admitted to bail, (which must not be granted before 24 hours notice be proved by oath to have been given in writing to the prosecutor, of the names and abode of the proposed bail, unless the same be well known to the Justice) the Justice shall bind over the prosecutor to pro-*

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secrete with effect; and if the goods fraudulently obtained, exceed the value of 20l. the recognizance shall not be less than double. 30 Geo. 2. c. 24. s. 1, 2.—The obtaining notes of hand, &c. is not within this act. See 9 Geo. 1. c. 22. s. 1.

Buying any pretended right in any land, unless the seller hath taken the profit one year before, *both the seller, and the buyer, shall forfeit the value thereof, half to the king, and half to the party who will sue for same by action, &c. within one year.* 32 Hen. 8. c. 9. s. 2, 6.

Frauds in stamp duties, on vellum, parchment, paper, and cards, is felony, and hard labour on the Thames. 12 Geo. 3. c. 48. s. 1. See CONVEYANCES, BUTTER, and INSURANCE.

FREEDOM. Where the freedom of any city, &c. or company, is obtained by servitude, the proper officer is to enter the names of all persons put out clerks, apprentices, or servants, with the names and abode of the masters, fees given by apprentices, and dates of the indentures, &c. &c. *on forfeiture of 20l. half to the King, and half, with full costs, to him who will sue in the Courts of Record.* 5 Geo. 3. c. 46. s. 18. 41.

FRINGE-FOREIGN. See EMBROIDERY.

FUEL. If any person shall bring any talwood, billet, or faggot, to any city, borough, or town-corporate, for sale, not being of the proper assize, &c. (see the act) the Mayor, &c. shall have power on information to call before them, six good and lawful men of the city, &c. and shall swear them truly to enquire whether the same be of sufficient assize, and if they shall present upon their oath that the same be not, &c. then to deliver the same to the overseers, to be distributed among the poor, at their discretion. 43 Eliz. c. 14. s. 2, 3, 4, 5, 6, 7.

And all billet (except beech, see 10 Ann. c. 6. s. 1.) lying or exposed to sale, on any wharf, stathes, &c. where billet is usually put on board, landed, &c. or that shall be in any hoy, &c. within any port, and shall not be duly assized and marked, that then upon information given to any Justice or Mayor, &c. (as last) 9 Ann. c. 15. s. 2.

Within the cities of London and Westminster, or the weekly bills, no person shall sell billet, made even of beech wood, unless assized, &c. or by the weight thereof, if the buyer shall require it. 10 Ann. c. 6. s. 2.

FUGITIVES. If any person who hath fled for felony, or other enormous offence, and hath been proclaimed by writ out of chancery, shall not come at the day of such proclamation

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returned,

returned, *he shall be holden and adjudged for convict, and attainted.* 2 Hen. 5. c. 9. f. 1.

FULLERS-EARTH. See WOOLLEN,

FUR. See COTTON.

FUSTIANS. See COTTON,

G.

GAME. If any one shall knowingly kill any hare, pheasant partridge, moor-game, or heath-game, in the night, (i. e. between 7 at night, and 6 in the morning), from the 12th of October, to the 12th of February, and from between 9 at night, and 4 in the morning, from the 12th of February, to the 12th of October; *he shall forfeit for the first offence, upon oath of one witness, before a Justice, not exceeding 20l. nor less than 10l. immediately, half to the informer, and half to the poor, &c. and in default of payment or security, to be levied by distress, and in default of distress, commit. for 3 calendar months, unless, &c. for the second offence, not exceeding 30l. nor less than 20l. and for a third, 50l. and in default, commit. not exceeding 12, nor less than 6 calendar months, and may be once whipped, upon indictment at the Quarter Sessions.* 13 Geo. 3. c. 80. f. 1, 4.

Using any gun, dog, net, &c. on a Sunday, or Christmas-day, *the same.* 13 Geo. 3. c. 80. f. 6, 8.

If any game-keeper, under colour of killing game for the lord of the manor, shall sell same without his consent, upon the complaint of such lord, on oath of one witness, before a Justice, *he shall be committed to the house of correction to hard labour, for 3 months.* 5 Ann. c. 14. f. 4.

If any game-keeper, whose name is not entered with the clerk of the peace, and who shall not be otherwise qualified to kill game, shall kill, sell, &c. any hare, pheasant, partridge, moor, heath-game, or grouse, *shall forfeit upon oath of one witness, before a Justice, 5l. half to the informer, and half to the poor, to be levied by distress, and in default, commit. to the house of correction for 3 months.* 9 Ann. c. 25. f. 1.

If any person not qualified, and not truly a servant of any lord of a manor, or not immediately employed to take or kill the game, for the sole use or benefit of the said lord, &c. shall under pretence of any authority, &c. take and kill, &c. as above, *shall forfeit the same, &c.* 3 Geo. 1. c. 11. f. 1.

Or

Or shall keep, or use any greyhounds, setting-dogs, hays, lurchers, guns, tunnels, or other engine, to destroy game, *the same Idem.*

Any layman, not having lands and tenements of 40s. a year, or clergyman, not advanced to 10l. a year, keeping any greyhound, or other dog to hunt, or shall use nets, or other engines, to take or destroy deer, hares, or conies, or other gentleman's game, *upon conviction at the Sessions, shall suffer 1 year's imprisonment.* 13 Rich. 2. st. i. c. 13. s. 1.

Any person who shall keep any greyhound for coursing deer or hare, or setting dog, or net, to take pheasant or partridge, (except he be seized of lands, &c. of 10l. yearly value, or of the like for life, of 30l. yearly value, or be possessed of goods or chattles of 200l. value, or be the son of a Knight, or Baron in Parliament, or some person of higher degree, or the son and heir apparent of an Esquire), *he shall upon oath of one witness, before two Justices, forfeit 40s. to the poor, or, &c. (See EGGS) be committed to the common goal for 3 months, sans bail, &c.* 1 Jac. 1. c. 27. s. 3. & 7 Jac. 1. c. 11. s. 8.

If any unqualified person shall keep, &c. any dogs, nets, or any other instrument for the destruction of fish, fowl, or other game, and do not give a satisfactory account thereof, *he shall upon oath of one witness, before a Justice, forfeit not exceeding 20s. nor less than 5s. half to the informer, and half to the poor, to be levied by distress, and in default, be committed to the house of correction, not exceeding 1 month, nor less than 10 days, there to be whipped and kept to hard labour.* 4 & 5 W. 3. c. 23. s. 3.

Using any snares, hare-pipes, or other like engines, *shall upon oath of one witness, before a Justice, forfeit 10s. presently to the poor, and in default, commitment to the house of correction, not exceeding 1 month. N. B. Conviction to be within 1 month.* 22 & 23 Car. 2. c. 25. s. 6.

If any higler, chapman, innkeeper, victualler, alehouse-keeper, or carrier, shall have in his possession any hare, pheasant, partridge, moor, heath-game, or grouse, or shall buy, sell, or offer to kill the same, (unless sent by one qualified) *shall upon oath of one witness, before a Justice, forfeit 5l. to be levied by distress, half to the informer, and half to the poor, and in default, commit. to the house of correction for 3 months, sans bail, &c.* 5 Ann. c. 14. s. 2. N. B. Such conviction to be within 3 months.

If any destroyer of game, shall within 3 months discover any higler, &c. &c. that has so bought or sold, or offered to buy or sell, or had in his possession any such, so as he shall be convicted of the same, *he shall not only be discharged of all penalties, &c. but shall receive the informer's moiety also.* *Idem.*

f. 3.

Any Justices of peace in their respective counties, &c. and the lords of manors, within the same, may take away any hare, pheasant, dog, net, or other engine, &c. from any higler, &c. or other unqualified person, to their own proper use. *Idem.* *f. 4.*

If any unqualified person shall keep any greyhounds, setting dogs, hays, lurchers, tunnels, or any other engine to destroy game, *he shall upon oath of one witness, before a Justice, forfeit for the first offence 5l. half to the informer, and half to the poor, to be levied by distress, and in default, commit to the house of correction, for the first offence, 3 months, and for every other offence, 4 months.* *Idem.*

If any person, whether qualified or not, shall sell, or offer to sale, any hare, pheasant, moor, heath-game, or grouse, *he shall for every offence forfeit the same, &c. &c.* 28 Geo. 2. c. 12. *f. 1.*

If any such game be found in the possession of any poulterer, salesman, fishmonger, cook, or pastry-cook, such person *shall forfeit the same, &c. &c.* *Idem.* *f. 2.*

Any unqualified person (upon search or otherwise) having any hare, partridge, pheasant, pigeon, fish, fowl, or other game, found in his possession, and not giving a satisfactory account thereof, on such conviction, *shall forfeit for every such hare, (in like manner as above) not exceeding 20s. nor less than 5s. and in default, shall be committed to the house of correction not exceeding one month, nor less than ten days, there to be whipped, and kept to hard labour.* 4 & 5 W. 3. c. 23. *f. 3.*

Any person killing, or possessing, &c. any partridge, between the 12th of February, and the 1st of September, or any pheasant, between the 1st of February, and the 1st of October, or any heath fowl, called *black-game*, between the 1st of January, and the 20th of August, or any grouse, called *red-game*, between the 1st of December, and 25th of July, *shall forfeit 5l. per bird, to the prosecutor.* 2 Geo. 3. c. 19. *f. 4, 5.*

Where any person for any offence against any law for the better preservation of game, shall be liable to pay any pecuniary

niary penalty on conviction before a Justice, the prosecutor may either proceed to recover the same by information, or he may sue for the same within 6 months after offence committed, by action of debt, &c. in any Court of Record, *wherein if he recovers, he shall have double costs.* *Idem.* f. 5, 6.

Lords of manors and other royalties, not under the degree of an esquire, may by writing under their hands and seals, authorize one or two game-keepers within same, who may take and seize all such guns, lurchers, or other dogs, to kill hares or conies, ferrets, tunnels, or other engines, for the taking and killing of any game, as within the same shall be used by any person prohibited to keep the same, and any game-keeper, or other person by warrant, may in the day-time search for such gun, &c. and *seize the same for the use of the Lord, or otherwise destroy, as things prohibited to be kept.* 22 & 23 Car. 2. c. 25. f. 2.

Selling, or buying to sell again, any hare, partridge, or pheasant, *shall forfeit for every hare or partridge, 10s. and for every pheasant, 40s. half to him that will sue by indictment, &c. and half to the poor.* 1 Jac. c. 31. f. 4. See EGES, CORN, HARE, OFFICER, and SOLDIER.

GAMING. If any person shall keep any office or place, &c. by way of lottery, &c. or by cards or dice, &c. or for the games of the ace of hearts, pharaoh, basset, or hazard, *shall upon oath of one witness, before a Justice, forfeit 200l. immediately, to be levied by distress, one third to the informer, and the remainder to the poor, or be committed, not exceeding 6 months, to the common goal.* 12 Geo. 2. c. 28. f. 1, 2, 4. N. B. All sales by lottery are void, and the lands forfeited.

Playing, setting at, staking, or putting, at either of the same games, *shall forfeit 50l. in the same manner.* 12 Geo. 2. c. 28. f. 3.

Persons refusing to be examined on oath, without offering just cause touching complaints relative to gaming by this act, *shall (by one Justice) be committed to the publick prison, not exceeding 3 months.* 30 Geo. 2. c. 24. f. 16.

Any person winning and receiving from another at any setting, by gaming, or by betting, where the sum or value of 10l. was lost, &c. *shall return the same with costs of suit to the person so losing, to be recovered by action of debt in the Courts of Record.* 9 Ann. c. 14. f. 2. N. B. Prosecution to be within 3 months.

In such case, if the person losing does not sue within 3 months, *to forfeit the same, and treble costs, half to the poor, and half to the prosecutor, to be recovered by action of debt in the Courts of Record.* 9 Ann. c. 14. f. 2.. See 16 Car. 2. c. 7. f. 2.

Any person winning or losing at one sitting the value of 10l. or within 24 hours the value of 20l. *shall forfeit five times the value of such sums so won or lost, to the poor, after charges of the prosecutor, and evidence paid, to be recovered (within 6 months) by indictment in the King's Bench, or at the Assizes, &c.* 18 Geo. 2. c. 34. f. 8.

Winning at any one time any sum exceeding 100l. upon tick, credit, &c. *exclusive of all securities for the same, shall forfeit treble the value, with treble costs, to him that shall sue within 1 year, by action, &c. in the Courts of Record at Westminster.* 16 Car. 2. c. 7. f. 3.

Winning by any ill practice in playing at any game, any sum or other valuable thing, or winning at one time more than 10l. and being convicted thereof on indictment or information, *exclusive of being deemed infamous, and liable as in cases of wilful perjury, shall forfeit five times the value to him who shall sue for the same by action, &c. in the Court of Record.* 9 Ann. c. 14. f. 5.

If any offender shall discover another offender, so that he be convicted, the discoverer shall be discharged from all penalties, by reason of such offence, if not before convicted thereof, and shall be admitted as an evidence to prove the same. 18 Geo. 2. c. 34. f. 9.

All notes, bills, bonds, judgments, mortgages, or other securities, where the whole or any part of the consideration shall be for money, &c. won by gaming, or by betting, &c. or for the re-payment of any money knowingly lent at such gaming, &c. shall be void. 9 Ann. c. 14. f. 1. See ALHOUSE-KEEPER, ARTIFICERS, ASSAULTING, BAWDY-HOUSE, CHALLENGE, LOTTERY, and OFFICE.

GOAL, and GOABER. Every person whatsoever committed for any offence, shall bear his own reasonable charges, for so conveying to goal, having means or ability thereunto; and on refusal, *to be recovered by distress, by one Justice.* 3 Jac. 1. c. 10. f. 1.

If any keeper, shall sell, use, lend, or give away, or knowingly suffer any spirituous liquor, or strong waters to be sold, &c. or brought into any goal, &c. work-house, &c. (except

(except by prescription of a physician, &c.) *he shall forfeit 100l. half to the King, and half with full costs to him who will sue in the Courts of Record at Westminster, and for the second offence, shall forfeit his office.* 24 Geo. 2. c. 40. f. 13.

Any Justice on information on oath, that any such are kept and disposed of in any of the above places, may enter and seize, or impower by warrant any constable so to do, (except as above) *and to save and destroy the same.* Idem. f. 14.

And if any person shall be apprehended by the goaler, or his servant, bringing, or endeavouring to bring any such liquors, (except as above) *he shall be fined, not exceeding 20l. nor less than 10l. half to the informer, and half to the poor of such prison or work-house, and in default commit. to prison or house of correction, not exceeding 3 months, sans bail, &c.* Idem. f. 15.

Every goaler, master, &c. shall procure a copy of the three preceding clauses to be printed, or fairly written, and hung up in one of the most publick places of his goal, house of correction, or work-house, and renew the same from time to time so that it always be kept fair and legible; *on pain of 40s. half to the informer, and half to the poor of such goal or place, on oath of one witness, before a Justice.* Idem. f. 16. N. B. Any Justice may enter and demand a sight of it, and if it be not shewn to him so hung up, &c. he may immediately convict the goaler, &c.

Refusing to receive a felon, or taking any thing for receiving him, *shall be punished at the discretion of the Justices of goal delivery.* 4 Edw. 3. c. 10. f. 1

Goalers shall permit prisoners to send for victuals from what place they please, and to have such bedding, &c. as they think fit, *on pain of forfeiting 50l. to the party grieved, to be recovered with treble costs in the Courts at Westminster.* 2 Geo. 2. c. 22. f. 3.

None but lawful fees to be taken of prisoners on pain of *the like.* Idem. f. 4. N. B. Tables are to be made of fees, and hung up in every goal.

Goalers, or bailiffs arresting, &c. upon the petition of any prisoner, complaining of any abuse unto any of the Courts of Record at Westminster in Term time, or to any of the Justices of such courts in Vacation time, or Judges of Assize in their respective circuits, *may be punished in a summary way, as they shall think fit.* 2 Geo. 2. c. 22. f. 6.

If

If any marshal, deputy, or any keeper of any prison, shall take any reward to connive at any prisoner's escape, *exclusive of his office, and being for ever incapable, he shall forfeit 500l. half to the King, and half to him who will sue by action in the Courts of Record.* 8 & 9 W. 3. c. 27. f. 4.

If any sheriff, goaler, or keeper, shall put prisoners for debt, and felons together in one room, *he shall forfeit exclusive of his office, treble damages to the party grieved, to be recovered by action, &c. in the Courts of Record.* 22 & 23 Car. 2. c. 20. f. 13.

Every sheriff and other person having power of keeping goal, or prisoners for felony, shall certify the name of every such prisoner, at the next general goal-delivery, there to be calendred before the Justices of deliverance, *on pain of forfeiting 100s. to the King.* 3 Hen. 7. c. 3. f. 1.

No person shall buy, sell, let, or take to farm, the office of under-sheriff, deputy-sheriff, seal-keeper, county-clerk, shire-clerk, goaler, bailiff, or other officer, pertaining to the office of high-sheriff, *on pain of forfeiting 500l. half to the King, and half to him who shall sue, to be recovered by action in the Courts of Record at Westminster.* 3 Geo. 1. c. 15. f. 10. N. B. Prosecution to be within 2 years.

If the sheriff, constable, or any other bailiff of fee, which hath keeping of prisoners, let any go at large by surety that is not responsible, and thereof be attainted, *he shall lose his fee and office for ever*; and if the under-sheriff, constable or bailiff, of such as have fee for keeping of prisoners, do it contrary to the will of his Lord, or any other bailiff, being not of fee, *he shall have 3 years imprisonment, and make fine at the King's pleasure.* And if any withhold prisoners, repleviable, after they have offered sufficient security, *he shall pay a grievous amercement to the King*; and if he take any reward for the deliverance of such, *he shall pay double to the prisoner, and be at the great mercy of the King.* 3 Edw. 1. c. 15. See BANKRUPT, CLERGY, and PRISONERS.

GARDEN. See CABBAGES.

GATES. See FENCES.

GAUGERS. If any inn-keeper or victualler, that hath received any drink from a common brewer, shall refuse the gauger to enter his cellar or other rooms, or to taste the same, *shall forfeit 5l. vide Excise Laws.* 7 & 8 W. 3. c. 30. f. 13.

Notes of every gauge signed by the gauger, containing the quantity and quality of the liquors, &c. shall be left with

the common-brewers, or some servant (if demanded) at the time of taking the same, *on pain of forfeiting 40s. with costs.* *vide Idem. Idem. f. 46.*

Gauger neglecting after demand, within 3 days after the end of the week, to leave with the brewer a true copy under his hand of each respective charge by him made, &c. or shall charge more than such copy contains, *shall forfeit 10l. vide Idem. 7 & 8 W. 3. c. 30. f. 25.*—Demand by 12 Geo. 1. c. 28. f. 30. to be in writing.

Gaugers, &c. at any time before gauging, may take a sample, not exceeding half a pint in the whole, out of each cask, or other package, containing foreign spirituous liquors imported, *gratis.* 32 Geo. 2. c. 29. f. 1. See BEER, and BREWER.

GENEVA, or GIN. See DISTILLERS.

GIRDLES. See RIBBANDS.

GIRDLEERS. See CORDWAINERS.

GLOVES. Foreign manufactured silk mitts, gloves, or stockings, importing, &c. or assisting therein, offering to sale, vending, &c. *over and above the forfeiture of the same*, for every such offence *shall forfeit 200l. with costs of suit, half to the King, and half to the officer informing, to be recovered by action, &c. in a Court of Record.* 5 Geo. 3. c. 48. f. 1, 9. N. B. The officer neglecting for 1 month after condemnation to sue for the penalties, any other person may sue for and recover the same. *Idem. f. 14.*

The like found and seized out of London and the weekly bills, not exceeding 20l. in value, *two Justices may proceed to condemnation, &c. Idem. f. 2.* See LEATHER.

GOLD. Vending or selling any gold, plate, or any goods or wares, in which any such is manufactured, of the weight of 2 oz. or upwards, without licence, *shall forfeit 20l.* and pawnbrokers, and refiners, (being deemed traders in gold and silver wares), vending the same without licence, *shall forfeit 20l. vide Excise Laws. 32 Geo. 2. c. 24. f. 3, 4.*

If any searcher of the King, shall find gold or silver, in coin or in mass, in the keeping of any that is passing, or upon his passage, in any ship or vessel, to go out of any port, &c. the same (saving reasonable expences to the owner) *shall be forfeited to the King.* 2 Hen. 4. c. 5. f. 1. See COIN, SILVER, and WIRE.

GOLDSMITHS. If the Wardens find any work not of good and true alloy, *the same shall be forfeited to the King, and the gold-*

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smith be imprisoned and ransomed at the King's pleasure, 28 Edw. 1. c. 20. f. 1.

None shall put to sale, exchange, &c. any plate, or goldsmiths work of silver, before he put his mark upon so much thereof as conveniently may bear it, *on pain of forfeiting the value thereof, half to King, and half to prosecutor, to be recovered by action in the Courts of Record. Idem.*

Counterfeiting marks or stamps, used by the Company of Goldsmiths in London, or transposing stamps from one piece of wrought plate to another, and exposing such to sale, *shall be sent to hard labour on the Thames. 13 Geo. 3. c. 59. f. 1.*

SEC COUNTERFEITING.

GOLD-THREAD. See WIRE.

GOODS. The sale of goods wrongfully gotten, shall not alter the property of them. *1 Jam. 1. c. 21. f. 5.* But it hath been held, that where a broker or pawner, refuses upon tender of the money to re-deliver the goods in pawn, he may be indicted; because, being secretly pawned, it may be impossible to prove a delivery for want of witnesses, if an action of trover should be brought for them. *Easter Term. 5. W. 3. Salkeld's Reports. p. 268.*

Persons fraudulently obtaining goods of an intestate *shall answer as executors of their own wrong. 43 Eliz. c. 8. f. 2.* See FRAUDS, FELONS, DRAWBACK, and PAWNBROKERS.

GRANARIES. See CORN.

GREENWICH-HOSPITAL. If any person shall take to pawn, buy, exchange or receive any goods or stores, belonging to his Majesty, &c. or to the Governor and Directors of the said hospital, from any persons, upon any pretence whatsoever, or cause the colour of the same to be changed, or the marks thereon to be taken out or defaced, *he shall forfeit for every such offence upon oath of one witness, before a Justice. 5l. half to the informer, and half to the hospital, to be levied by distress, and in default, be committed to the common goal, sans bail, &c. for 3 months, or be publicly whipped, at discretion, &c. 20 Geo. 2. c. 24. f. 16.*

If any pensioner or nurse shall desert from the said hospital, and carry away with them any such clothes, &c. belonging to the said hospital, *they shall upon oath of one witness, before a Justice, be commit. to the common goal or house of correction, for 6 months. Idem. f. 26.*

GROUSE. See GAME.

GUILE. See BREWER.

GUNPOWDER.

GUNPOWDER. No dealer to have more than 200lb. thereof, at any one time in any storehouse, &c. or on any river or other water, (except in carriages, loading or unloading, or passing on the land, or in vessels, &c. loading or unloading, or passing on any river or other water, or detained by bad weather, &c. or in places where it shall be lawful to make gunpowder, &c. in any part of Great-Britain), on pain of forfeiting on oath of one witness, before two Justices, all the same (beyond such quantity as above) with the barrels, &c. and also 2s. for every pound beyond such quantity, half to the King, and half to the prosecutor, such as are pecuniary, to be levied by distress, and in default, commit. to the house of correction to hard labour, not exceeding 6, nor less than 3 months. 12 Geo. 3. c. 61. s. 18, 26, 27. N. B. Prosecution within 14 days after committing the offence or seizure.

No person (not being a dealer) shall have more than 50lb. thereof, at any one time, &c. &c. (as above) on pain, &c. &c. (as above) *Idem*.

Persons protracting time in loading or unloading gunpowder, by land or water carriage, shall upon oath, &c. (as above) forfeit 10l. half, &c. &c. to be levied by distress. *Idem*. s. 21.

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HABEAS CORPUS. Writs of *Habeas Corpus*, shall within 3 days after service thereof, (unless the commitment be for treason or felony, expressed in the warrant of commitment), upon payment or tender of charges, (not exceeding 12d. per mile) of bringing the prisoner, and upon security that he will not make escape by the way) be returned, and the body brought, if within 20 miles, and if above that, and not above 100 miles, then within 10 days, if further off, within 20 days. 31 Car. 2. c. 2. s. 2.

Officer refusing to make the return aforesaid, or to bring the body according to said writ, or to deliver within 6 hours after demand, a true copy of the commitment and detainer, be shall for the first offence forfeit 100l. and for the second 200l. and be incapable to hold his office, penalty to go to the party grieved. to be recovered by action of debt in the Courts at Westminster, *Idem*. s. 5.

No person set at large shall be again committed for the said offence, other than by the order and process of Court, on pain of forfeiting 500*l.* to the party grieved, to be recovered by action of debt in the Courts at Westminster. *Idem.* f. 6.

If the Lord Chancellor or Lord Keeper, or any Judge, &c. in the Vacation time, upon view of the copy of the warrant of commitment or detainer, or upon oath made, that such copy, &c. was refused, &c. shall deny any writ of *Habeas Corpus* by this act required to be granted, &c. *he shall forfeit the same, &c. &c. Idem.* f. 10.

Persons committed as accessory before the fact, to, or upon suspicion of any petty treason or felony, &c. such person shall not be removed or bailed, otherwise than before this act. *Idem.* f. 21.

HACKNEY-COACHES. See COACHES.

HACKNEY-CHAIRS. See CHAIRS.

HAIR-POWDER. Officers of excise or customs, may seize any suspected starch, or hair-powder, together with the horses, package, &c. and shall within 10 days exhibit an information before three of the Commissioners of Excise, or two Justices, and the person possessing such starch or powder, *exclusive of the same, together with horses, &c. shall forfeit 5*l.* for every cwt. information to be within 6 months after the offence committed.* Vide Excise Laws. 4 Geo. 2, c. 14. f. 3.

Officers by warrant (but if in the night, in the presence of a peace officer) may search for concealed starch, and every person possessing any such, or materials for making the same, or who shall obstruct, &c. *exclusive of the same, with all utensils, &c. shall forfeit 50*l.** *Idem.* f. 4. Vide Excise Laws.

If any maker of hair-powder, or any seller or dealer in same, shall mix, or cause to be mixed, &c. any powder of alabaster, plaister of Paris, talk, chalk, whiting, lime, or any other material, (rice first made into starch and sweet scents, only excepted) with any starch, or powder of starch, for making of hair-powder, *exclusive of the same, shall forfeit 20*l.** *vide Idem.* *Idem.* f. 5.

Makers of hair-powder, not making true entries of their abode, and work-houses, *shall forfeit 20*l.** *vide Idem.* *Idem.* f. 6.

Officers may enter work-houses, examine and carry away any sample, &c. paying a reasonable price, and if it shall appear to be mixed with, &c. (as above) the person possessing same, *shall forfeit 20*l.** *vide Idem.* *Idem.* f. 7.

If any starch maker, or hair-powder maker, shall have in his possession, any alabaster, &c. (as above) besides starch for the making of hair-powder, *exclusive of the same*, shall forfeit 10*l.* *vide Idem*, *Idem*. *f.* 8.

If any such shall obstruct him in his duty, (as above) *he* shall for every offence forfeit 20*l.* *vide Idem*, *Idem*. *f.* 9.

HARBOURING. See ACT-BLACK.

HARES. Any person armed and disguised, appearing in any place where hares or conies are kept, is *felony sans clergy*. 9 *Geo.* 1. *c.* 22. *f.* 1.

Any person whatsoever, tracing or courting any hare in the snow, *he* shall on oath of two witnesses, before two Justices, forfeit for every hare, 20*s.*, immediately to the poor, and in default commit. to the common goal for 3 months, sans bail, &c. or after one month after his commit. together with two sufficient sureties, shall become bound by recognizance in 20*l.* each, with condition that *he* shall not at any time thereafter so do. 1 *Jam.* 1. *c.* 27. *f.* 2.

Or taking or destroying any hares with hare-pipes, cords, or other engines, or shall shoot at, kill or destroy, any hare, with any gun, cross-bow, stone-bow, or long-bow, for every such, shall forfeit, &c. &c. *Idem*.

No person whatsoever shall trace, destroy, and kill any hare in the snow, with any dog, or otherwise, on pain of forfeiting for every such hare 6*s.* 8*d.* to the King, or Lord of the *let*; by inquisition at the Sessions. 14 & 15 *Hen.* 8. *c.* 10. *f.* 1. See GAME.

HATS. See COTTON.

HAWKING. See CORN.

HAWKERS. Pedlars and hawkers trading, &c. without licence, shall upon oath of one witness, before a Justice, forfeit 12*l.* half to the informer, and half to the poor, to be levied by distress. 9 & 10 *W.* 3. *c.* 27. *f.* 3. N. B. Such hawker, &c. may be detained (till licence is produced) by any person, who is to deliver him to the constable, or some officer of the peace, who, &c.

Such refusing to produce their licence on demand, to any officer of the peace, shall in like manner forfeit 5*l.* to the poor, and in default commit, and shall suffer as a vagrant, *Idem*. *f.* 15. N. B. This not to empower hawkers, &c. to sell wares or merchandize in any city, &c. *f.* 15.

Constables, &c. on notice, neglecting to aid in the execution of this act, shall forfeit 40*s.* one moiety to the poor, and the other to the informer, &c. *Idem*. *f.* 7. If

If any such shall lend or let to hire any licence to him granted, &c. both he, and the person trading under colour of the same, *shall forfeit 40l. half to the King, and half to the prosecutor, to be recovered by action, &c. in the Courts of Record.* 3 & 4 Ann. c. 4. s. 4. See SPIRITUOUS-LIQUORS.

HAY. For every truss of hay bought, or offered to be sold, within the weekly Bills, between the last of August, and the first of June, being old hay, not weighing 56lb. *shall upon oath of one witness, forfeit 1s. 6d. half to the informer, and half to the poor, to be levied by distress, and in default commit. till paid.* 2 W. & M. sess. 2. c. 8. s. 16.

The like between the first of June, and the last of August, being new hay, not weighing 60lb. and old hay, 56lb. *shall forfeit, &c. (as last).*

The band of every truss not to exceed 5lb. weight, upon pain of forfeiting 1s. &c. (as above). 31 Geo. 2. c. 40. s. 3. 15.

The seller of ditto, is not liable to any penalty, either in respect to weight or quality, unless it be weighed, either at, or before the delivery, with the privity of the buyer, or agent, &c. or complained of as to its quality, at the time and place of delivery, in the presence of such seller, or agent, &c. unless on notice he shall refuse to attend. *Idem.* s. 10.

Persons employed to bind hay or straw, not conforming to the rules of this act, the owner objecting in 24 hours, and before the same shall be removed, *shall upon oath of one witness, forfeit 3d. for every truss, (as above) and in default of distress, commit. not exceeding 1 calendar month, nor less than 10 days, unless sooner paid.* *Idem.* s. 4, 15.

Carts, &c. with hay or straw for sale, to quit the market from Lady-day to Michaelmas, by 4 in the afternoon, and from Michaelmas to Lady-day, by 3 in the afternoon, after ringing the hand bell, or *shall forfeit 5s. (as above) and in default, &c. (as above).* *Idem.* s. 12, 14, 15.

Refusing to pay for hay standing in the hay-market, &c. the same may be levied by distress on the offenders goods, and the goods may be sold in 3 days. 8 & 9 W. 3. c. 17. s. 3.

HEADBOROUGH. See CONSTABLES.

HEARSE. See COACHMEN.

HEDGES. See FENCE, and HIGHWAY.

HEIFER. See COW.

HEMP. No person shall water any hemp or flax in any river, running water, stream, brook, or other common pond, where

where beasts be used to be watered, on pain of forfeiting for every time 20s. half to the King, and half to party grieved, or him that sues, by action of debt, &c. in the Courts of Record, lest, or law-day. 33 Hen. 8. c. 17. s. 2. See COTTON.

HERRING-FISHERY. Any person who shall demand or receive any consideration whatsoever, for the use of any port within Great-Britain, or the islands belonging, &c. or shall obstruct the fishermen, &c. in the use of the same, shall forfeit 100l. half to the King, and half to him who will sue by action in the Courts of Record Westminster. 30 Geo. 2. c. 30. s. 7, 9.

HIGHWAY. All penalties, &c. by this Act, together with all costs, &c. are to be levied by distress, &c. and paid (unless otherwise directed) half to the informer, and half to the surveyor, &c. for repair of, &c. where offence committed; in default of distress, commitment to the common goal or house of correction, not exceeding 3 months, unless sooner paid; conviction to be on oath of one or more witnesses, before a Justice, and if offender lives out of the jurisdiction of the Justices, the Justices where he lives may proceed, &c. having a copy of the conviction duly proved, and no warrant of distress (unless otherwise directed) shall be issued, &c. until 6 days after conviction, and an order served for payment. Forfeitures recovered on the evidence of any officer with a salary, (unless otherwise directed) shall be applied to the use of the roads only, and prosecutors may recover forfeitures under 40s. only by information within 3 days before a Justice, but if 40s. or upwards, either by such information, or by action of debt in any Court of Record; 10 days notice to be given before action brought, and to be commenced within 1 calendar month after offence committed. And an appeal to Quarter Sessions, if the party give notice thereof at the time of conviction, if present, if not within 6 days after offence; and within 4 days after such notice, entering into recognizance before some Justice with one sufficient surety, to try such appeal. &c. &c. 13 Geo. 3. c. 84. s. 15, 76, 77, 79, 80, 82, 83. & 13 Geo. 3. c. 78. s. 73, &c.

If any person whose name was contained in the list, (*see act*) and who has been served with notice, &c. shall neglect to appear at the Sessions, and accept the office of surveyorship, if appointed to it, or shall not within 6 days after being served with the warrant of appointment, signify his acceptance thereof, to one of the Justices, &c. he shall forfeit 5l. *vide supra. Idem. c. 78. s. 1.*

And

And if any person so appointed, whose name was not contained in the list, shall refuse or neglect to accept it, or shall not within 6 days after being served with such appointment, shew to one of the Justices signing the same, sufficient cause, &c. *he shall forfeit 50s. vide Idem. Idem.*

If any constable, headborough, tythingman, &c. refuse to make such list, or shall not return the list of names when made, &c. and give such notices, and serve such warrants as directed, *he shall forfeit 40s. vide Idem. Idem.*

If any such, &c. shall neglect to return an account of the amount of any assessment, &c. when required, *he shall forfeit 40s. vide Idem. Idem.*

If any inhabitant appointed an assistant to the surveyor, shall refuse to accept such office, &c. *he shall forfeit 30s. vide Idem. Idem. f. 2.*

If any such assistant, shall not justly account with, and pay to the surveyor, or to his order, all the money come to his hands, *he shall forfeit double the value unaccounted for. vide Idem. Idem. f. 4.*

If any such shall wilfully neglect or make default in the performance of any of the duty required from him by this act, *he shall forfeit for every offence not exceeding 5l. nor less than 40s. at the discretion of 1 Justice. vide Idem. Idem. f. 4.*

No tree, bush, or shrub, shall be permitted to stand, grow, or to be planted in any highways, within 15 feet of the centre, (except for ornament, &c. to the house, &c. of the owner, &c.) but the same shall be respectively carried away, &c. within 10 days after notice, &c. *on pain of forfeiting for every such neglect 10s. vide Idem. Idem. f. 6.*

If any possessor of land next any highway, shall not prune, &c. his hedges, &c. or cut down and lop the trees, &c. (except those for ornament, &c.) in such manner that the highways be not prejudiced by the shade thereof, &c. within 10 days after notice by the surveyor for that purpose, who is required to make complaint thereof to some magistrate, who shall summon the same to appear before the Justices, at some special Sessions, &c. and to answer, &c. *he shall forfeit (exclusive of paying the surveyor, &c. his expences for doing it) 2s. for every 24 feet of such hedge, and 2s. for every tree, &c. vide Idem. Idem. f. 7.*

Occupiers of lands, not making sufficient ditches, drains, or water-courses, and not laying sufficient trunks, plats, or bridges, where cartways, &c. lead out of the highways into
such

such lands, after 10 days notice by the surveyor, *shall forfeit 10s. vide Idem. Idem. f. 8.*

If any person shall lay in any highway, any stone, timber, straw, dung, or other matter, or in making, scouring, &c. the ditches, &c. shall permit the soil, &c. to remain in such highway, so as to obstruct or prejudice the same, for 5 days after notice, *he shall forfeit 10s. vide Idem. Idem. f. 9.*

And if any person shall, &c. or other matter for making of manure, or on any other pretence whatsoever (not tolerated by this act) in any highway, within 15 feet from the centre, and shall not within 5 days after notice given by the surveyor, or other person aggrieved thereby, be removed; the owner or possessor of the lands adjacent, or any other person by order of some Justice, may clear said highway, by removing the said, &c. *and may have the same, to his own use. Idem. f. 10.*

If any person shall wilfully place or leave any waggon, &c. or instrument of husbandry, in any highway, (except during the reasonable time of loading, &c. when it shall stand as near the side as may be) so as to interrupt the free passage of any other carriage, of his Majesty's subjects, *he shall forfeit 10s. vide above. Idem. f. 11.*

Surveyors, on taking a view of the condition of the highways, &c. in respect of nuisances, &c. if such shall not be removed, &c. ditches, &c. scoured, &c. within 20 days after notice, are empowered to remove, scour, &c. and the offender *shall forfeit 1d. for every foot in length so neglected, &c. and pay the charges, &c. vide Idem. Idem. f. 12.*

None shall be compelled to cut any hedge only between the last of September, and the last of March; nor to cut down oak trees, except in April, May, or June; nor any ash, elm, or other trees, except in December, January, February, or March. *Idem. f. 13.*

When the old ditches, gutters, or water-courses, are insufficient, the surveyor, by order of a Justice, may make new ones, and the surveyor is to make satisfaction for the damage, *Idem. f. 14.*

Public cartways to market-towns, are to be made 20 feet wide at least, and every horseway 8 feet wide at the least, if the ground between the fences inclosing the same will admit thereof. *Idem. f. 15.*

Two Justices may order narrow roads to be widened, or diverted and turned, and surveyors are to agree with owners of lands

lands for recompence, and if they cannot agree, the same may be assessed by a jury at the Quarter Sessions. *Idem. f. 16.*

Old highways may be sold by the surveyor, and mines, &c. reserved to the owner. *Idem. f. 17.*

Any publick highway, bridleway, or footway, may by order of such Justices, at some special Sessions, with the consent of the owners of such lands by writing under their hands and seals be diverted, &c. and any person injured may appeal at the Quarter Sessions. *Idem. f. 19.*

Such Justices may order unnecessary highways to be stopped, and on information of the surveyor, such as are liable to be repaired by tenure, &c. to be repaired within a limited time, and may also at any special Session present those which most want repair. *Idem. f. 22, 23, 25.*

They may also issue their precept to the surveyor of the highways, for any parish where several highways meet, to erect direction-poits, &c. and if any surveyor shall for 3 months after such precept neglect, &c. *he shall forfeit 20s. (as above). Idem. f. 26.*

Surveyors may take so much rubbish, &c. of any quarry lying within the parish (except such as have been got by any other surveyor) without the licence of the owner, as necessary for amendment of highways, but not dig without leave. Also he may in any waste, &c. river, &c. within the parish, or within any other parishes, &c. wherein any materials are likely to be found, (in case of a non-sufficiency in the parish, &c. where the same are to be employed, and so as sufficient be left for roads in such other parish) search for, dig, and carry away the same, so that he do not thereby interrupt the course of such river, &c. or damage any building, highway, or ford, nor dig the same out of any river within the distance of 100 feet of any bridge, nor within the like distance of any dam or wear. And also may gather stones lying upon lands within the parish, without making any satisfaction for the same, except for damages occasioned thereby.----(But not without the consent of the occupier, or by a licence from a Justice for that purpose, after having summoned such occupier to come before him, &c.) *Idem. f. 27.* N. B. This extends not to land called beach. *f. 28.*

And if sufficient cannot be found in the waste lands, &c. as above, the surveyor may take the same from any several or inclosed lands, within the parish, &c. where

the same is wanted, (such lands or ground not being a garden, yard, avenue to a house, lawn, park, paddock, or inclosed plantation) and the said surveyor making such satisfaction for the damage done, &c. as shall be agreed upon between him and the owner, &c. in the presence, and with the approbation of two or more substantial inhabitants of the same parish, &c. and if they cannot agree, then such satisfaction shall be ascertained by order of a Justice of the limit. *Idem. f. 29.*

Also, by licence from two Justices, at a special Sessions, within any other parish, lying near to the highway for which such materials shall be required, if it shall appear to such Justices that sufficient cannot be had within, &c. and that a sufficient quantity will be left for the use of the parish, &c. where the same shall be, (such lands, &c. not being, &c. as last) and the surveyor making such satisfaction for the damage done, as shall be agreed upon, between him and the person intrusted, &c. in the presence, &c. &c. (*as last*).

And materials dug for any other parish, are not to be removed at any other time than between the 1st of April, and the 1st of November, or in time of hard frost, in the winter season. And also from the want of other materials, to dig clay in such places as they are authorised to dig gravel, &c. and to dry the same upon the lands adjoining, and to burn the same upon any waste lands or common grounds, and to carry the same in such manner as other materials, upon making such satisfaction, &c. as above---Provided, that when the owner shall have occasion for any such materials for the repair of any highway upon his estate; or which he is under an obligation to repair, and shall give notice thereof to the surveyor, then he shall not dig without the owner's consent, or an order of two Justices, after having summoned and heard the said owner, &c. *Idem. f. 29. & 30.*

Expences incurred by buying materials, making satisfaction for damages, &c. on application to two Justices at least, at a special Sessions, may be raised by an assessment upon the occupiers of lands, &c. not exceeding the rate of 6d. in the pound, and if any person shall neglect to pay any assessment, within 10 days after demand, *upon oath of the surveyor, &c. before a Justice, the same shall be levied by distress, and in default, commit. to common goal, until the same with the costs, &c. be paid. Idem. f. 30. 68, 69.*

Surveyors shall cause the pits or holes wherein such materials shall be found, to be filled up within 14 days, or fenced off, and pits wherein no materials shall be found, shall be filled up within 3 days, *on penalty of forfeiting in either case on oath of one witness, before a Justice, 10s. to be applied to the filling the same up, and repair of roads, at the discretion of the Magistrate. Idem. f. 31.*

Every surveyor within 20 days, after his appointment to that office, shall cause all such as shall be then open, and likely to be further useful, to be fenced, &c. or if not likely to be useful, to be filled up, *on pain of forfeiting the same, &c. Idem.*

And if any surveyor shall neglect to fence off, or slope down the same, for the space of 6 days after notice from any Justice, or from the owner of such ground, river, &c. or any person having right of common within such waste lands, &c. *he shall forfeit, not exceeding 10l. nor less than 40s. in like manner, &c. Idem.*

Persons damaging any bridge, mill, building, dam, highway, ford, mines, or tin works, by digging materials, *shall forfeit, not exceeding 5l. nor less than 20s. at the discretion of the Court, or two Justices. Idem. f. 33.*

Every person keeping a waggon, cart, wain, plough, or tumbrel, and three or more horses, or beasts of draught, used to draw the same—the lands, tenements, &c. not exceeding the yearly value of 50l. which he shall occupy therein, *shall be deemed to keep a team, &c. and liable to perform statute-duty within the same, in the parish, &c. where he resides; and shall 6 days in every year, (if necessary) to be computed from Michaelmas to Michaelmas; send every day, and at every place to be appointed by the surveyor, &c. one carriage furnished after the custom of the country, with oxen, horses, or other cattle, &c. and with two able men, and all other necessaries. Idem. f. 34.*

Every person keeping, &c. occupying, &c. above the yearly value of 50l. in respect whereof such team-duty shall be performed, *shall be deemed, &c. and send one carriage with not less than three horses, or four oxen and one horse, or two oxen, and two horses, &c. and two able men. Idem.*

Occupiers of lands, &c. of the yearly value of 50l. in any other parish, &c. besides that wherein he resides, and every other person not keeping team, &c. but occupying lands, &c. in any parish, &c. shall in like manner for every 50l. *per annum* respectively, which every such person shall further occupy

cupy in any such parish respectively, *shall be deemed, &c. &c. and send, &c. to be employed by the surveyor in the parish, &c. where the land lies. Idem.*

And every person not keeping a team, &c. but shall occupy lands under 50*l.* per annum, in any parish, &c. or, shall keep a team, occupy lands, &c. under the yearly value of 50*l.* in any other parish than where he resides, *shall contribute to the repair of the highways, and pay for every 20*s.* of the annual value of such lands, &c. 1*d.* for every days statute-duty which shall be required, not exceeding 6 in the whole, and shall in like manner, pay 1*d.* for every 20*s.* of the annual value of the lands, &c. which he shall occupy in any parish, &c. above the yearly value of 50*l.* and less than 100*l.* and so for every 20*s.* that each intermediate annual value of 20*s.* of the lands, &c. &c. shall fall short of the further increase of 50*l.*---The above several sums shall be considered as compositions, and shall be paid at the time they are so directed, to be under the authority of this act, or within 10 days after; or, in default of such payment, the same may be levied by distress. *Idem.**

No person who shall keep such team, and not occupying lands, &c. where he resides, of 30*l.* per annum. shall be obliged to send more than one labourer with such team. *Idem.*

Every person not keeping a team, but a cart, or carts, with one or two horses, or beasts of draught, *shall do duty with the same, and one labourer to attend it, or pay for the lands, at the option of the surveyor. Idem. s. 35.*

Every person not keeping a team, draught, or plough, nor occupying lands, &c. of 50*l.* a year, but keeping a coach, post-chaise, chair, or other wheel carriage, *shall pay 1*s.* for every horse he shall use in such carriage, for every day's duty, or pay for his lands, &c. at the option of the surveyor. Idem.*

And every man inhabiting in any parish, &c. being of the age of 18, and under 60 years, not chargeable for lands of 4*l.* per annum, &c. and not being bona fide an apprentice, or menial servant, nor having performed the said duty, or paid the composition for the same, in any other parish, &c. for that year, *shall work, or send a labourer, on such days, &c. and if such teams, &c. shall not be thought needful on any of the said days, such person shall send for every one so spared, 3 able men, or to pay 4*s.* 6*d.* in lieu thereof; such men to bring proper instruments. Idem.*

Where the employment for teams is such, that two horses will be sufficient for one cart, or where a stand cart with one horse

horse shall be necessary, the surveyor may call for the same, and allow for a stand cart and one horse as half a team, and every cart and two horses as two-thirds of a team; and if a waggon is wanted, the same may be called for from him who has one. *Idem.* f. 36.

Notice for performing duty to be given 4 days at least, of the day, hour, and place.

If any labourer, or driver of any cart, required by this act to perform statute-duty, shall refuse to work and labour, 8 hours in each day, according to direction; or if any driver shall refuse to carry sufficient loads, *the surveyor may discharge every such team or labourer, and recover the forfeiture incurred for default, from the owner.* *Idem.* f. 35.

Every person making default in sending furnished carriages and men, according to this act, *shall forfeit 10s. and in default of sending (when so required) every cart with one horse and one man, 3s. and in default of sending (when required) every cart with two horses and one man, 5s. and in default of sending any such labourer, and every person making default in performing such labour, or in paying composition for the same, shall forfeit 1s. 6d. All which forfeitures are to be applied for the use of the highways.* *Idem.* f. 37.

Persons may compound in such manner as the Justices at their special Sessions shall adjudge reasonable, not exceeding 6s. nor less than 3s. for each team, draught or plough, for each day, and in default of their so adjudging, 4s. 6d. and for every cart, and one horse, or beast of draught, 2s. and for every cart, with two horses, or beasts of draught 3s. per day; and for every inhabitant 4d. per day. *Idem.* f. 38.

Where any person keeps a draught or plough, and no carriage, he shall pay for every horse, or pair of oxen, or neat cattle, used in such draught, &c. for every days statute-duty, *either 1s. or according to the rate aforesaid for his lands, &c. at the option of the surveyor.* *Idem.* f. 42.

Justices clerk receiving greater fees than allowed by this act, *shall forfeit 10l.* *Idem.* f. 49.

If surveyor has a share in any contract, or shall let to hire any team, or dispose of any timber, stones, &c. without licence from a Justice, *he shall be incapable to be a surveyor with a salary, and shall forfeit 10l.* *Idem.* f. 50.

Surveyors, for every neglect of duty for which no particular penalty is imposed, *shall forfeit not exceeding 5l. nor less than 10s.* *Idem.* f. 51.

Waggons

Waggons and carts having the bottoms of the fellies of the wheels, &c. and drawn with a greater number of horses than five, for such waggon, and three for such cart, or the owners shall forfeit 5*l.* for every horse, &c. above that number, and the driver not being the owner, 10*s.* to the informer.---Except carriages moving upon wheels or rollers, of 16 inches on each side thereof, with flat surfaces, which may be drawn with any number, *Idem.* f. 56.

Carriages excepted, are such as are employed only in carrying one stone, block of marble, cable rope, piece of metal, or piece of timber, or such ammunition or artillery, as shall be for his Majesty's service. *Idem.* f. 60.

Two oxen, or horned cattle, are considered as one horse.

Justices at any Michaelmas Quarter Sessions, may licence an increase of horses, and revoke or vary the same, as they shall think fit. *Idem.* f. 58.

They may also stop proceedings for forfeitures respecting additional horses, when from ice or deep snow they are necessary. *Idem.* f. 59.

No person collecting any tolls payable for passing over any publick bridge, &c. shall keep any victualling-house, ale-house, or other place of publick entertainment; or shall permit to be sold therein, any wine, beer, or spirituous liquors, by retail, on pain of forfeiting 5*l.* *Idem.* f. 63.

If any person shall incroach on any highway (not being turnpike road) by making any hedge, &c. within 15 feet of the centre thereof, or shall plough, harrow, or break up the soil of any ground within that distance, where the breadth of such highway is formed and marked with certainty, and does not exceed 30 feet; he shall repay the surveyor for taking down or filling up the same, and 40*s.* to the informer. *Idem.* f. 64.

Persons resisting the execution of this act, or making rescue of the cattle, &c. distrained, shall forfeit not exceeding 10*l.* nor less than 40*s.* and in default of payment or security, commit. not exceeding 3 months, unless sooner paid. *Idem.* f. 72.

Constable, &c. refusing to obey precept, &c. pursuant to this act, shall forfeit the same. *Idem.*

Every Justice, upon notice of appeal to his proceedings, shall return the same to the Quarter Sessions, on pain of forfeiting 5*l.* *Idem.* f. 81.

The King's subjects are justified in going upon corn sown in an outlet in an open field, if the beaten track be found-
derous.

derous. 1 *Rol. A.* 390. *Pl.* 1. See MILITIA, and INSTRUCTIONS.

HIGHWAYMEN. He who shall apprehend and convict any one, shall be intitled to 40*l.*—The streets of cities, towns, &c. are deemed highways. 6 *Geo.* 1. *c.* 23. *f.* 8.

And by 4 *W. & M.* *c.* 8. *f.* 6. he shall have the horse, furniture, arms, money, or other goods taken with him, notwithstanding the right of the King, or Lord of the manor, or of the person lending, &c. saving the right of those from whom they were feloniously taken.

HIGLERS. See GAME.

HOLLIES. If any person shall illegally cut down, &c. any hollies, thorns, or quicksets, growing in any forests or woods, &c. or shall have the same in his possession, without giving a satisfactory account, &c. he shall upon oath of one witness, before a Justice, forfeit for the first offence, not exceeding 40*s.* for a second offence, not exceeding 5*l.* and for a third, to be deemed and punished as an incorrigible rogue, with the charges, half to the party injured, and half to the informer, and in default, commit. to the house of correction, for 1 month to hard labour, and to be once whipped there. 9 *Geo.* 3. *c.* 41. *f.* 8.

HONEY. Every barrel, kilderkin, and firkin of honey, shall be marked with two letters, signifying the name and surname of the maker, on pain of forfeiting for every barrel, &c. not marked, 6*s.* 8*d.* and selling the same in any barrel, &c. deficient in quantity, shall forfeit for every gallon lacking, 5*s.* and every person that shall corrupt the same so sold, or to be sold, shall forfeit the barrel and honey; half whereof to the King, and half to him who shall sue by action in the Courts of Record. 23 *Eliz.* *c.* 8. *f.* 4.

If any person shall counterfeit such mark, or set to the mark of any other without his consent, he shall for every offence forfeit 5*l.* half to the King, and half to the person aggrieved, or prosecutor, by action in the Courts of Record, and in default of payment, shall be set on the pillory, and be imprisoned, sans bail, &c. for 3 months. *Idem.* *f.* 6.

Hops. Planters or owners of hops in Great-Britain, before they shall begin to bag or weigh the same, shall give or send notice under their hands, to the next officer of excise, or to the proper officer for the duty, of the particular day, and precise hour of such day, at least 24 hours before same shall begin, and as to the remainder of the hops that year, 48 hours

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hours notice shall be given, *under pain of 50l. vide Excise Laws. 6 Geo. 1. c. 21. f. 25. & 24 Geo. 2. c. 40. f. 29.*

Officer is to attend thereon, and to mark the weight of the bag, to be marked on the bag, and to enter it in his book, and make a return to the Commissioners, leaving a copy with the planter, if demanded, and if he neglect to leave such copy, *he forfeits 5l. to the planter. Idem. f. 11. & 12 Geo. 1. c. 28. f. 30. vide Idem.*

Planters, &c. shall keep sufficient and just weights and scales, and to permit officers to use them, *on forfeiture of 20l. vide Idem. 6 Geo. 1. c. 21. f. 26.*

Unlawfully cutting any hop binds, is felony, *sans clergy. 6 Geo. 2. c. 37. f. 6. & 31 Geo. 2. c. 42. f. 4.*

Every planter, &c. shall give notice in writing at the Excise office next the place, or to the officer of the district, of the parish or place where his hops grow, and of the names of the owner or occupier, yearly before the 1st of August, *on forfeiture of 40s. per acre, and in proportion, &c. vide Idem. 9 Ann. c. 12. f. 6, 7. N. B. None shall be obliged for doing this to send further than the next market-town, to the place where the hops shall be planted, and the officer to whom notice is given shall enter it in a book within 5 days, at the said next office, on forfeiture of 40s. to the party, whose notice shall not be entered. vide Idem. Idem. f. 7, & 26.*

No person shall use any oust, storehouse, &c. or kiln for curing or keeping hops, without notice as aforesaid, *on forfeiture of 50l. for every offence. vide Idem. Idem. f. 8. & 26.*

The owners or planters, shall within 6 weeks after gathering or picking, bring them to such ousts, &c. to be cured, &c. and to no other place, *upon forfeiture of 5s. for every pound weight, which shall not be so brought, cured, and bagged. Idem. f. 9 & 26. vide Idem.*

An allowance after the rate of 10lb. per cent. shall be made for the tare of the bag. *9 Ann. c. 12. f. 13.*

Planters shall within 6 months after hops shall, or ought to be cured, &c. &c. discharge all the duties, *on pain of forfeiting double the sum of such duty neglected, two-thirds to the King, and the other to the prosecutor. Idem. f. 14.*

Officer may at any time by day or night, (if at night with a constable) enter into the oust or storehouse, for the curing or keeping hops; planter or owner hindering them, *forfeits 20l. Idem. f. 15 & 26. Vide Excise Laws.*

No planter shall remove, &c. from his oust, storehouse, &c. any hops, until cured, &c. and the duty ascertained, unless where the officers having notice neglect to attend, under the forfeiture of 50*l.* for every offence. *Idem.* f. 16. *vide Idem.*

Planter, &c. concealing hops to avoid the duties, shall forfeit 20*l.* and all the hops so concealed to the King. *Idem.* f. 17. *vide Idem.*

Pickers, &c. or other persons privately carrying away any hops from the place of growing, or place where put in order to be cured, &c. shall forfeit 5*s.* per lb. (*vide Excise Laws*) and in such case the officers may seize the hops and bring the offender before a Justice, and in default of payment and distress, commit. to house of correction, there to be whipt, and kept at hard labour, not exceeding 1 month, and any person obstructing officer in the execution of his office, or beating or abusing him forfeit 5*l.* and in default of, distress, commit. as aforesaid. *Idem.* f. 18. *vide Idem.*

Hops imported, shall not be taken out of foreign bags and re-bagged in British bagging, in order to be exported as British hops, under the penalty of 10*l.* per cwt. and after that rate; and any person using fraudulently twice or oftner, the same bag, with the officers mark, forfeits 40*l.* *Idem.* f. 24. *vide Idem.*

Owners may put their hops into casks, first giving the like notice they intend to weigh, and in default of such notice, they shall be liable to the like penalties as bagging without notice, and officers shall attend in like manner under the like penalties, as neglect on bagging, (see above). 6 Geo. 1. c. 21. f. 27, 28.

Mixing with hops any drug or ingredient to alter the colour or scent, shall forfeit 5*l.* for every cwt. 7 Geo. 2. c. 19. f. 2.

Landing or aiding therein, any foreign hops before entry or duty paid, and without warrant, (*exclusive of the same, which shall be burnt, within 10 days after condemnation, and likewise the ship*) shall forfeit 5*s.* for every lb. and so in proportion. See *Excise Laws.* *Idem.* f. 1, 3. See BREWER.

HORSES. Owners of stolen horses may at all times take them again on payment, or offer, to the party who hath possession, so much as he shall swear before a Magistrate that he paid for the same; if claim be made in 6 months where the same shall be found, and proof be made within 40 days next ensuing, (by

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(by two witnesses, before a Justice, &c.) that such were the property of the person claiming within said 6 months.

31 Eliz. c. 12. f. 4.

Any one offending in any of the articles relative to the purchasing stolen horses, *shall forfeit 5l. and the sale be void, half to the King, and half to him who shall sue by action, &c. in the Courts of Record. Idem. f. 2.*

Property of horses stolen shall not be altered, unless same shall be openly ridden, &c. for one hour, betwixt 10 in the morning, and sun setting, in the open horse fair, &c. and sale be entered, &c. and any neglecting so to do, *shall forfeit 5l. half to the King, and half to prosecutor at Sessions. 31 Eliz. c. 12. f. 2, 3. & 2 & 3 P. & M. c. 7. f. 2, 3.*

No person whatsoever shall enter, start, or run any horse, &c. for any plate, &c. unless such horse shall be *bona fide* his property, *on pain of forfeiting the same, or the value thereof, half to the prosecutor, and half to the poor; and if in Somersetshire, the last moiety to the Bath Hospital, to be recovered with double cost, by action in the Courts at Westminster. 13 Geo. 2. c. 19. f. 1, 6.*

No person shall enter and start more than one horse, for the same plate, &c. *on pain of forfeiting the same, &c. &c. (as last).* N. B. The entrance money is to be paid to the second best horse. *Idem. f. 7.*

No person shall start or run any match with any horse, &c. for any plate, &c. unless such match shall be at Newmarket, or Black Hambleton, or the plate be of the real value of 50l. *on pain of forfeiting 200l. in the same manner. Idem. f. 5, 6.* N. B. Nothing in this act is to extend to gifts left to annual races. *f. 8.*

No person shall print, publish, or proclaim any plate, prize, &c. (to be run for by any horse, &c.) of less value than 50l. *on pain of forfeiting 100l. in the same manner. Idem. f. 2, 6, 8.* See CARRIAGES, COMMONS, and TOLLS.

HORN-BEAM. See WOOD.

HOUSE-BREAKING. See ATTEMPT, and BURGLARY.

HOUSES, DEMOLISHING. See BUILDING.

HOUSES OF CORRECTION. See CLERGY.

HUSBAND. See WIFE.

HUNTING IN CORN. See CORN.

I.

IDLE. See **DISORDERLY.**

Where any rogue, vagabond, or other idle and disorderly person is committed, and his punishment is not expressly appointed, he may be committed to house of correction to hard labour, till the next General or Quarter Sessions, or until discharged by due course of law, and two Justices (of which the Justice who committed him shall be one) may discharge him before the Sessions, or the Sessions may either discharge or continue him in custody, not exceeding 3 months. 17 Geo. 2. c. 5. f. 31, 32.

JESUITS. If any person suspected to be a Jesuit, seminary, or mailing priest, being examined by any one having lawful authority in that behalf, shall refuse to answer directly and truly whether he be a Jesuit or &c. *shall be commit. to prison without bail, &c. until he shall answer, &c.* 35 Eliz. c. 2. f. 11.

If any popish bishop, or priest, shall exercise any part of his function (except in foreign ministers houses) or if a papist shall keep a school, *he shall be adjudged to perpetual imprisonment.* 11 & 12 W. 3. c. 4. f. 3.

IMPORTING. See **BRANDY**, and **CUSTOMS.**

INDENTURES. See **APPRENTICES.**

INDICTMENTS. Where any person shall be feloniously stricken or poisoned in one county, and die thereof in another, an indictment thereof, &c. shall be as effectual where the death shall happen, as if done there. 2 & 3 Edw. 6. c. 24. f. 2.

And where any murder or felony shall be committed in one county, and another shall be accessory in another county, and indictment taken upon the circumstance thereof in the county where such offences of accessory, &c. shall be committed, shall be as good as if the principal offence had been committed there. *Idem.* f. 4. See **ACTIONS**, and **PRISONERS.**

INFORMATION. In all informations concerning offences against any penal statute, the same shall be alledged to have been committed in the county, where offence committed. 21 Jac. 1. c. 4. f. 2.

No information shall be brought against any brewer, ale-house-keeper, common distiller, vinegar-maker, or cyder-maker, for any false or mis-entry, or offence committed, but within 3 months, and that notice be given to such offender within

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within one week after information. 1 *W. & M. sess.* 1. c. 24. f. 16. and 12 & 13 *W. 3. c.* 11. f. 17.

No information shall be received, &c. by the Clerk of the Crown of the King's Bench, without recognizance, (except by exprefs order in open court, or when in the name of the King's Attorney, &c. 4 & 5 *W. & M. c.* 18. f. 2.

INFORMERS. No informer shall compound with any defendant before answer, nor then, but by consent of the Court, in pain of 10*l.* (and the pillory for two hours), half to the King, and half to the party grieved, to be recovered by action or information at the Quarter Sessions. 18 *Eliz. c.* 5. f. 3. 4.

Where the informer delays or discontinues his suit, or otherwise is non-suit or overthrown, the court shall award costs to the defendants, to be immediately levied by execution issuing out of the same Court. *Idem.*

An informer shall sue by himself or his Attorney, and that by information, or original action, and shall have no deputy, in pain of 10*l.* and the pillory, &c. *Idem.* f. 1.

INGOTS. See BULLION, and WIRE.

INGROSSERS. See FORESTALLERS.

INNKEEPERS obstructing. See EXCISE, BREWERS, GAUGERS,

———altering UTENSILS. See BREWERS,

———removing GUILT. See ditto.

———mixing. See ditto.

———entries. See ENTRIES.

———private STOREHOUSE. See BEER.

———inlarging. See ditto.

INROLMENT. Bargains and sales to an use of inheritance of freehold, must be by deed indented or inrolled, within 6 months after date, in some Court of Record at Westminster, or in the county where the lands, &c. lie, before the *Custos Rotulorum*, two Justices of the peace, and the Clerk of the peace, or two of them, whereof the Clerk to be one. 27 *Hen. 8. c.* 16. f. 1. & 5 *Eliz. c.* 26. N. B. This act not to infringe the custom of corporations as to inrolling, &c.

INSURANCE. If the properties of more than one person, or more than a particular number of persons in general partnership, or one body politick or corporate, in any ship or cargo, be assured in the same policy, to a greater sum than 100*l.* it shall be void, and the premium shall remain the property of the assurer. 5 *Geo. 3. c.* 46. f. 3.

If any risk or adventure distinct from those mentioned in the original policy, and upon which any further premium shall

shall be given, shall be, by any writing or declaration not duly stamped, added to the said policy, such additional assurance shall be void, &c. (as last). *Idem*.

If the insurer, conveyor, or manager of any fraud, be the discoverer thereof, *he shall not only keep the insurance money, &c. and be discharged of the penalties to which he is liable, but also shall have half of the forfeitures imposed upon the party making such insurance*; and if no such discovery by the insurer, &c. if the party insured, &c. shall discover *he shall not only receive back his insurance money, &c. and be discharged of his forfeitures, but shall have half of the forfeiture imposed on such insurer, &c.* 4 *W. & M. c. 15. f. 16.* and 8 & 9 *W. 3. c. 36. f. 2.*

Any person who by way of insurance or otherwise, shall undertake to deliver any goods whatsoever, to be imported from beyond sea, without paying the duties, &c. or any prohibited goods; or in pursuance of such insurance, shall deliver the same, without, &c. knowing thereof, *shall forfeit for every such offence, besides all other penalties, 500l. half to the King, and half to the informer, to be recovered by action in the Courts of Record Westminster.* 4 *W. & M. c. 15. f. 14. & Idem.*

If any person shall agree to pay any money, for the insuring or conveying any goods or merchandizes so imported, without paying the duties, &c. or shall receive such prohibited goods into his house, &c. before, &c. knowing thereof, *shall forfeit 500l. &c. &c. (as last).* *Idem. f. 15. & Idem.*

INTEREST. See OFFICE, and USURY.

INTESTATE GOODS. See GOODS.

JOURNEYMEN. See COMBINATIONS.

————misbehaving. See ARTIFICERS, COTTON, and SHOEMAKERS.

————bakers using allum, &c. See BAKERS.

————gaming. See GAMING.

————not to be compelled to refrain from setting up trades. See APPRENTICES.

IRON. Any person stealing, &c. or aiding therein, any lead, iron bar, &c. fixed to any building, in any garden, &c. *shall be commit. to hard labour on the Thames, &c.* 4 *Geo. 2. c. 32. f. 1.*

JUDGMENTS. Judgments given, shall continue 'till the parties for whom they are given shall be attaint of error. 4 *Hen. 4. c. 23.*

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No judgment not doggetted shall affect any lands as to purchasers or mortgagees, or have any preference against heirs, &c. 4 & 5 W. & M. c. 20. f. 2. See COMMITMENT, CLERK, and EQUITY OF REDEMPTION.

JURIES. If any person shall wilfully omit out of the list, any person whose name ought to be inserted, or wilfully insert any one who ought to be omitted, or shall take any reward for, &c. *he shall forfeit for every offence, upon oath of one witness, before a Justice, 20s. half to the informer, and half to the poor, and in default, within 5 days after conviction, to be levied by distress.* 3 Geo. 2. c. 25. f. 2.

Every Clerk of the peace neglecting his duty in not entering names returned to him to serve on juries, with their additions, &c. in a book, *shall forfeit 20l. to the prosecutor by indictment at the General Quarter Sessions.* Idem.

If any Sheriff, under-sheriff, &c. shall take any money or other reward to excuse any person from serving, &c. or if any officer appointed by any Sheriff, to summon juries, shall summon such as are not named in a mandate, signed by such Sheriff, *he shall be fined not exceeding 10l. to be recovered in a summary way, before the Justices of Assize, &c.* Idem. f. 6.

Every person whose name shall be drawn, and who shall not appear, after called three times, and oath made of being summoned (unless reasonable cause be proved, &c.) *shall forfeit not exceeding 5l. nor less than 40s. at the discretion of the Judge.* Idem. f. 13. See ANNOYANCE JURY, and CONSTABLE.

JURISDICTION. If any person against whom a warrant shall be issued by any Justice of any county, &c. shall escape to another county, &c. out of the jurisdiction of such Justice, any Justice where such person shall be, upon oath of the hand writing of the Justice granting such warrant, &c. may indorse his name thereon, which shall be a sufficient authority for the execution of such warrant, in such other county, &c. and to carry before the Justice who indorsed the same, or some other of that county. And if it be a bailable offence, such Justice may take bail for his appearance, &c. where offence committed, but if not bailable, or he shall not give satisfactory bail, then the constable shall convey him to a Justice of the county, &c. where such offence was committed, and the Justice of such other county so taking bail, shall deliver the recognizance, examination, or confession, &c. &c. to the constable or apprehender, who is to deliver same to the Clerk of assize,

assize, or peace of the county, where such offender is required to appear, *on pain of forfeiting the sum of 10l. to him who will sue by bill or information in the Courts at Westminster.* 24 Geo. 2. c. 55. f. 1.

JURORS. If any juror shall take any thing to give his verdict, both he, and the embracer, *shall forfeit ten times as much, half to the King, and half to the prosecutor, and in default, imprisonment for 1 year.* 38 Edw. 3. c. 12. f. 1. See **ACTIONS.**

JUSTICES of the Peace. No steward of any Lord shall be assigned in the commission of the peace. 12 Rich. 2. c. 10. f. 1.

No Sheriff shall exercise this office. 1 M. Jess. 2. c. 8. f. 2.

No Attorney, Solicitor, or Proctor, ditto. 5 Geo. 2. c. 18. f. 2.

A Justice of the peace dwelling in a city or precinct that is a county of itself, within the county at large, although not within the said county, &c. may grant warrants, &c. which any other may act in at his own dwelling-house, provided he does not intermeddle in things within cities, &c. which are counties of themselves. 9 Geo. 1. c. 7. f. 3.

No Justice being a common brewer of ale or beer, inn-keeper, maltster, or distiller, or other seller of ale, beer, or spirituous liquors, or interested therein, shall grant any licence for retailing ditto. 26 Geo. 2. c. 13. f. 12.

No person shall write, &c. any licence for selling ale, or other exciseable liquors, before the vellum, &c. be duly stamped, *on pain of forfeiting 10l. half to the King, and half with full costs to him who shall inform, before two Justices.* 29 Geo. 2. c. 12. f. 20.

Such written, &c. contrary to this act shall be void till duty paid, and 5l. shall be paid to the King. *Idem.*

No such licence shall be granted to any person, unless he shall enter into a recognizance of 10l. with two sureties in 5l. each, or one in 10l. for the keeping good order, &c. and in case the person so applying for, &c. shall be reasonably hindered to attend, then upon two sureties each in 10l. which recognizance shall forthwith, or at the next General Quarter Sessions at the farthest, be sent to the Clerk of the peace, &c. subscribed by the Justices, before whom taken, to be by said court duly entered and filed, &c. *on penalty of 3l. 6s. 8d.* 26 Geo. 2. c. 31. f. 1.

Every Justice before whom any person shall be brought for manslaughter or felony, or for suspicion thereof, before he shall commit such prisoner, he shall take his examination, and

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the information, &c; and shall put what is material in writing within two days, and shall certify the same, *on pain of being fined by the Justices of goal delivery.* And shall bind the material informers by recognizances to appear and give evidence, &c. and shall certify the said bond, &c. *on the like pains.* 2 & 3 P. & M. c. 10. f. 2.

No writ shall be sued against a Justice, for any default in his office, 'till notice be given him, one calendar month before service, containing the cause, &c. and Attorney's name and abode to be indorsed, &c. to be commenced within 6 calendar months after offence. 24 Geo. 2. c. 44. f. 1, 8.

Justice within one month after such notice, &c. may tender amends, and plead the same in bar. *Idem.* f. 2. See JURISDICTION, OATH, and OVERSEER.

K.

KEEPERS of Forests. See FORESTS.

KEY. Stealing any goods, &c. of the value of 40s. in any vessel, or upon any wharf, or key, or being present at, or assisting therein, *is felony sans clergy.* 24 Geo. 2. c. 45. f. 1.

KING's death. See PATENT.

L.

LABOURERS. See ARTIFICERS.

LACES. See RIBBANDS.

LADDERS. See CHURCHWARDENS.

LANDLORDS and Tenants. Goods carried off the premises to cheat the landlord of his rent, *may within 30 days be pursued and sold, &c.* unless they shall have been bona fide sold to some person not privy to the fraud. 11 Geo. 2. c. 19. f. 1.

Any such tenant, &c. or any person knowingly aiding him, if the goods shall not exceed the value of 50l. *shall upon oath of the landlord or agent, before two Justices, forfeit double the value of the goods carried off, to the landlord, to be levied by distress, and in default, commit. to house of correction to hard labour for 6 months, unless sooner paid.* 11 Geo. 2. c. 19. f. 4.

N. B. The complaint to be exhibited in writing.

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Where any goods are fraudulently locked up, or otherwise secured, the landlord (first calling a constable, or &c. to his aid, and oath being made of a reasonable ground of suspicion) may within 30 days, break open such houses, &c. and seize, sell, &c. 11 *Geo. 2. c. 19. f. 7.*

Where any goods or chattels be distrained for any rent due upon any lease or contract, and the tenant or owner shall not within 5 days after distress and notice, replevy the same, &c. the person distraining, with the Sheriff, under-sheriff, or constable, may appraise and sell the same by two sworn appraisers, and after payment of rent, and charge of distress, leave the overplus, if any, in the hands of the Sheriff, or constable, for the owner's use. 2 *W. & M. sess. 1. c. 5. f. 2.*

Where rent is due as above, the landlord may secure any sheaves, &c. of corn, or corn loose, or in the straw, or hay in any barn, &c. or upon any hovel, &c. or otherwise, upon any part of the land charged with such rent; and to lock up and detain the same therein in the nature of distress, &c. so as such corn, &c. be not removed to the damage of the owner, out of the place where found, but be kept there (as impounded) until replevied or sold. *Idem. f. 3.*

Landlords, or their agents, may seize for rent, any cattle, or stock of their tenants, depasturing upon any common in any wise belonging to any part of the premises demised; and all sorts of corn, &c. or other product whatsoever, growing thereon, and the same may cut, lay up, &c. and dispose thereof, &c. in the same manner as other goods. N. B. The appraisement to be taken when cut, gathered, cured, and made. 11 *Geo. 2. c. 19. f. 8.*

Notice of the place where distress is lodged, shall within 1 week after the lodging thereof, be given to the tenant, or left at his last place of abode; and every distress of corn, grass, &c. is to cease, if rent be paid, or lawful tender thereof be made, before the same shall be cut. *Idem. f. 9.*

Any distress may be secured, and sold on the premises chargeable. *Idem. f. 10.*

Where any distress shall be made for rent justly due, and irregularity afterwards made by the party distraining, the distress is not unlawful, nor the distrainer a trespasser, *ab initio*, but (if tender of amends hath not been made before action brought) satisfaction shall be made for the special damage

to the party grieved, to be recovered with full costs by action of trespass on the case, in the Courts of Record. *Idem.* f. 19. 20.

If any tenant at rack-rent, &c. being one year's rent in arrear, shall desert the premises, so as no sufficient distress can be had, at the request of the landlord, &c. two disinterested Justices may go upon and view the same, and affix upon the most notorious part thereof, notice in writing, what day (at the distance of 14 days at the least) they will return to take a second view, and if tenant shall not then pay the rent, and there be no distress, *the Justices may put the landlord in possession, and the lease, as to such demise shall be void.* *Idem.* f. 16, 17. N. B. It would be proper for Justices in such cases as this to make a record of the proceedings.

No distress of cattle shall be driven out of the hundred, rape, wapentake, or lathe where taken, except to a pound overt (where the cattle must be sustained at the peril of the owner) within the same shire, not above three miles distant from the place where, &c. and no distress shall be impounded in several places, whereby the owner shall be constrained to several replevies *on pain of forfeiting in either case, 100l. to the party grieved, to be recovered with treble damages, by action in the Court of Record.* 1 & 2 P. & M. c. 12. f. 1.

Where the value of the cattle distrained shall not be found to be to the full value of the arrears distrained for, *the party distraining may from time to time distrain again for the residue.* 17 Car. 2. c. 7. f. 4.

No goods, &c. shall be taken in execution, &c. unless the party before removal, shall pay the landlord one year's rent, (if due). 8 Ann. c. 14. f. 1.

Arrears may be distrained for after the determination of the lease, provided such distress be made within 6 calendar months after the same, and during the landlord's title, and the tenant's possession. *Idem.* f. 6, 7.

If distress shall be made by virtue of this act, where no rent is due, the owner by action of trespass in the Courts of Record, may recover of the persons distraining, any or either of them, *double the value of the goods and chattels so distrained and sold, with full costs of suit.* 2 W. & M. sess. 1. c. 5. f. 5.

Where the agreement is not by deed, rent may be recovered by action on the case, and if on the trial, any parcel demise whereon a certain rent was reserved, shall appear, the plaintiff shall not therefore be nonsuited. 11 Geo. 2. c. 19. f. 14.

Where any lessor, being tenant for life, shall die before rent is due, his executors, &c. may recover same from the undertenants. *Idem.* f. 15.

None shall take distress of his own authority, without award of the court, *on pain of fine, after the quantity of the trespass, and making full amends.* 52 H. 3. c. 1. f. 1.

No person shall take, for keeping in pound, impounding, or poundage of any distress, above 4d. for any one whole distress, and where less has been used, there to take less, *on pain of forfeiting 5l. over and above the money he shall take above the sum of 4d. to the party grieved, to be recovered by action in the Courts of Record.* 1 & 2 Phil. & M. c. 12. f. 2.

Every sheriff of shires, being no cities or towns made shires, shall, at his first county day, or within 2 months next after he has received his patent of his office, appoint and proclaim, in the shire-town, within his bailwick, four deputies, at least, to make replevies, dwelling not above 12 miles from each other, *on pain of forfeiting, for every month he shall lack such deputies, for every offence 5l. half to the King, and half to him who shall sue by action in the Courts of Record.* *Idem.* f. 3.

Tenants holding over lands, hereditaments, &c. after the expiration of their leases, and after demand made, and notice in writing given, for delivering the possession thereof, by the landlord, shall, during the time they shall hold over, pay at the rate of double the yearly value, to be recovered by action in the Courts of Record. 4 Geo. 2. c. 28. f. 1.

Tenants holding premises, after the time they have notified for quitting them, shall pay double rent. 11 Geo. 2. c. 19. f. 18.

Where a half year's rent is in arrear, the landlord, having a right by law, to enter for the non-payment, may, without any formal demand, serve an ejectment. 4 Geo. 2. c. 28. f. 2.

Rents seck, rents of assize, and chief rents, may be recovered by distress, &c. as other rents. *Idem.* f. 5.

Tenants to whom an ejectment shall be delivered, shall forthwith give notice to the landlord, *on pain of forfeiting the value of 3 years improved rent, to the persons of whom they hold, to be recovered by action of debt, in the Courts at Westminster.* 11 Geo. 2. c. 19. f. 12.

Persons guilty of any pound-breach, or rescous of any goods, distrained for rent, or the owner thereof, shall pay treble damages and costs of suit to the party grieved, to be recovered

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vered by special action on the case, in the Courts of Record. 2 W. & M. sess. 1. c. 5. s. 4. See **ALHOUSES** and **SOLDIERS**.

LAND-TAX. Collectors thereof, on refusal of payment, within 10 days after demand, may levy the same by distress, and in default, commit. by two Commissioners, to the common gaol, sans bail, &c. until payment. 4 Geo. 3. c. 2. s. 15.

Assessor refusing to serve, or shall be guilty of any fraud, three Commissioners may fine him, not exceeding 40*l.* to be levied by distress, or commitment till paid. *Idem.* s. 17.

Collectors detaining the money, shall be imprisoned, and their estates seized and sold, unless money be paid. *Idem.* s. 18.

Householders are (on demand) to give the names, &c. of their lodgers; upon forfeiture of 5*l.* to the King, by action in the Courts of Record. *Idem.* s. 53.

LARCENY. Grand larceny is a felonious taking, and carrying away, the personal goods of another, above the value of 12*d.* not from the person, or by night, in the house of the owner; and petit larceny is when the goods stolen do not exceed the value of 12*d.* If two persons so steal, to the value of 13*d.* it is grand larceny in both. Grand larceny is punished with death, or transportation; petit larceny with forfeiture of goods, transportation, whipping, or other corporal punishment. Com. Law.

LARCH. See **BARKING TREES**.

LAWNS. See **CAMBRICK**.

LAW. See **BYE-LAWS**.

LEAD. See **IRON**.

LEASES. See **CLERGYMAN**.

LEATHER. Importing, selling, &c. leather gloves, or mitts, (of foreign manufacture) shall forfeit the same, with 200*l.* and double costs of suit, half to the King, and half to the officer informing. N. B. The officer neglecting, for one month after condemnation, to sue for the penalties, by action in a Court of Record, any other person may. 6 Geo. 3. c. 19. s. 1.

Any of the said goods, seized in England, out of London and Westminster, and the weekly bills, not exceeding 20*l.* value, shall be forfeited by two Justices, half, &c. (as last). N. B. The officer neglecting, &c. (as last). *Idem.* s. 2.

All forfeitures by James 1. c. 22. not otherwise directed, may be recovered by action, in any Court of Record, and shall go one-third to the King, one-third to the prosecutor, and one-third to the city, town, &c. s. 46.

All

All forfeitures may be recovered by (*the like*), and shall go half to the King, and half to the informer. 13 & 14 Car. 2. c. 7. f. 10.

All forfeitures may be recovered within 3 months after offence, or seizure by distress, on oath of one witness, before two Justices. N. B. The distress is redeemable within 6 days. 9 Ann. c. 11. f. 36. The Justices may mitigate the penalties, but not reduce them to less than one-fourth over and above all costs. See CORDWAINER and COTTON.

LETTERS. Knowingly sending threatening letters, or rescuing any person in custody for that offence, is felony sans clergy. 27 Geo. 2. c. 15. f. 1.

Sending any letter, without any name, or with a fictitious one, demanding money, or any other valuable thing, is felony sans clergy. 9 Geo. 1. c. 22. f. 1. 20 Geo. 2. c. 52. f. 12.

Any person not sending ship letters to the General Post Office, shall forfeit 5l. half to the King, and half to the prosecutor, to be recovered with full costs of suit, by action in the Courts at Westminster. 9 Ann. c. 10. f. 15.

Any person opening, detaining, or delaying, &c. any letter or packet, before delivery to the person to whom it is directed, except by express warrant, in writing, under the hand of a Secretary of State, or except on a refusal of payment, shall forfeit 20l. with full costs of suit to the prosecutor, and to be forever rendered incapable, &c. to be recovered (as last). *Idem*. f. 40.

No letters, &c. shall be exempt from postage, except sent from or to the King, and such, not exceeding two ounces in weight, as shall be sent during the Session of Parliament, or within 40 days before or after summons or prorogation, and be signed and directed, on the outside, by a member of either house, or directed to a member, at his usual residence, or place where he shall then be, or at the House of Parliament: and no letter sent to or from Ireland (except as above) during the Session there, or within, &c. (as above), and not exceeding, &c. (as above). 4 Geo. 3. c. 24. f. 1.

Counterfeiting the hand writing of any person, on the superscription of any letter or packet, to avoid the payment of postage, is felony and labour on the Thames, &c. *Idem*. f. 8.

Certain persons in each office or department, respectively (a list of whose names shall be transmitted, by the principal officers authorising the same, to the general Post Office in London,

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London), shall indorse upon each letter, &c. which shall concern publick business of their respective offices, signifying that it is upon his Majesty's service, and to seal the same with such officer's seal, and every person employed in any office, knowingly indorsing (unless by special direction of his superior officer) or procuring the same to be made upon any letter, not concerning such business, *he shall forfeit 5*l.* half to the King, and half to him who will sue, by action of debt in the Courts of Record.* 9 Ann. c. 10. f. 19. & 4 Geo. 3. c. 24. f. 2. See COACHMEN, FRAUDS, POST and MAIL.

LICENCE. No licence shall intitle any person to keep an alehouse, only where first kept. 26 Geo. 2. c. 31. f. 3.

If any person licensed shall die, or remove, his executors or assigns, may continue it during the term. 29 Geo. 2. c. 12. f. 23.

If any alehouse, &c. shall become unoccupied, after the general licensing day (the occupier whereof was licensed the year preceding) two Justices, at a Petty Sessions, may grant a licence to the new tenant, till the next general licensing day; such tenant first obtaining a certificate, as prescribed by 26 Geo. 2. c. 31. f. 2. & 29 Geo. 2. c. 12. f. 24. See ALE, CYDER, EXCISE, JUSTICES of the Peace, and SPIRITUOUS LIQUORS.

LIES. See NOBLES.

LINEN-CLOTH. Spoiling it in dressing, *shall forfeit same, and suffer one month's imprisonment, and a fine at pleasure, half to the King, and half to him who shall prosecute, by indictment, &c. at the Sessions.* 1 Eliz. c. 12. f. 1. See COTTON.

LODGING. Taking away, with an intent to steal, embezzle, &c. any chattel, bedding, &c. which, by contract or agreement, shall be let to use in lodging, [if under 12*d.* is *petit*] *larceny and felony, [if above 12*d.* felony without clergy.]* 3 W. & M. c. 9. f. 5.

LORD'S-DAY. There shall be no meetings, assemblies, or concourse of people, out of their own parishes, on the Lord's day, for any sports and pastimes whatsoever; nor any bear-baiting, bull-baiting, interludes, common plays, or other unlawful pastimes, within their own parishes; and every person offending, *shall (exclusive of any punishment from the Ecclesiastical Court) forfeit, on oath of one witness, before a Justice, for every offence, 3*s.* 4*d.* to the poor, to be levied by distress, and in default, shall be publicly set in the stocks for 3 hours.* 1 Car. 1. c. 1. f. 1.

Butchers,

Butchers killing, or selling any victuals, *shall, on oath of two witnesses, before a Justice, forfeit 6s. 8d. one-third to the informer, and the remainder to the poor, to be levied by distress.* 3 Car. 1. c. 1. f. 1.

Tradesmen, artificers, labourers, &c. not to exercise any worldly business, on pain of 5s. *one-third, &c. (as last) to be levied by distress, and in default, to be set in the stocks for two hours, conviction to be on oath of one witness, before a Justice.* 29 Car. 2. c. 7. f. 1.

Exposing any wares, merchandizes, fruit, herbs, goods, &c. *shall, on oath of one witness, before a Justice, forfeit the same one-third to the informer, and the remainder to the poor, &c. to be levied by distress.* Idem. N. B. They may be seized by warrant from a Justice.

Drovers, waggoners, butchers, &c. travelling and coming into their inns, &c. *shall, on oath, &c. (as last) forfeit 20s. one-third, &c. (as last) to be levied by distress, and in default, stocks for 2 hours.* Idem. f. 2, 3. N. B. Prosecution in the above cases to be within 10 days. See ARRESTS.

LORD'S-SUPPER. See SACRAMENT.

LOTTERY-OFFICE. Persons setting up, or by writing, or printing, publishing the setting up any unlawful lottery, *shall forfeit 100l. to be recovered in the Courts at Westminster, one-third to the King, another to the poor, and the other, with costs, to the prosecutor.* 9 Ann. c. 6. f. 56.

Forging a ticket, is felony, sans clergy. 8 Ann. c. 4.

Any person selling, &c. the lot of any ticket, in pursuance of any act for a publick lottery, without having such ticket in his custody, *shall forfeit 100l. besides the penalties of former acts, half to the King, and half to the person, as in his own right, at the commencement of the drawing, shall be possessed of the ticket, to be recovered by action of debt, &c. in a Court of Record at Westminster.* 5 Geo. 1. c. 9. f. last.

If any person, by colour of any grant, or authority from any foreign Prince, &c. set up, &c. any lottery, under any denomination whatsoever; or shall make, print, &c. any scheme, &c. for such lottery, or shall within this kingdom sell, &c. any tickets in any foreign lottery; and shall be convicted on oath of one witness, before two Justices, *he shall for every offence (besides other penalties by former acts against unlawful lotteries) forfeit 200l. one-third to the King, one-third to the informer, and the other third to the poor, to be levied by distress; and shall also be committed to the county gaol, for*

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bail, &c. for one year, and from thence till said sum be paid. 9 Geo. 1. c. 19. f. 4, 5. & 6 Geo. 2. c. 35. f. 29. See GAMING and OFFICE.

LUNATICKS. Are to be confined by warrant to the constables, &c. and (if the Justice finds it necessary) to be chained, if the last legal settlement of such person shall be within such precinct, and if not, to be sent there by a pass, and to be locked up, &c. by warrant of two Justices of the precinct, &c. N. B. The reasonable charges being proved, on oath, to be satisfied by order of two Justices, out of the lunatick's goods, and if he hath no estate, over and above a sufficiency for the maintenance of his family, then by the parish by such order. 17 Geo. 2. c. 5. f. 20.

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MADDER. If any person shall steal, or wilfully pull up or destroy any madder roots, he shall, upon oath of one witness, before a Justice, for the first offence, make satisfaction to the owner, and forfeit, not exceeding 10s. to the poor, and in default be committed to the house of correction, not exceeding 1 month, or be whipped by the constable, or, &c. at the discretion of the magistrate; and for a second offence, to be committed for 3 months. 31 Geo. 2. c. 35. f. 5, 6. N. B. Prosecution within 30 days.

MAIL. Post-boy quitting the mail, or suffering any one to ride on the horse or carriage, or loitering on the road, shall, upon oath of one witness, before a Justice, be committed to the house of correction to hard labour, not exceeding 1 month, nor less than 14 days. 5 Geo. 3. c. 25. f. 20.

Robbing the mail of any letters, or stealing letters from any post-house, &c. is felony sans clergy. 7 Geo. 3. c. 50. f. 2.

MAIM. If any person, armed and disguised, shall kill, maim, or wound any cattle, it is felony sans clergy. 9 Geo. 1. c. 22. f. 1. See ACT BLACK.

Any person on purpose, and malice fore-thought, &c. cutting out, or disabling the tongue, eye, nose, lip, or any limb, or member of any subject, with intention to maim or disfigure him, is felony sans clergy. 22 & 23 Car. 2. c. 1. f. 7.

MALT. Malt shall not be wetted, except in cisterns duly entered, on pain of 2s. 6d. per bushel. 6 Geo. 1. c. 21. f. 1.

If maltsters wet their corn, so that it sprout it; *he shall be charged the full duty, and forfeit 5s. for every bushel. Idem. f. 2. vide Excise Laws.*

If any maker of malt for home consumption, (not being compounders) whose malt-houses are in any city, or the suburbs, or in any market-town, shall not, at least 24 hours, and in any other place 48 hours, before he shall begin to wet any corn to be made into malt, give notice in writing, &c. and if he does not proceed to cover the whole with water within 3 hours after the said time, then such notice shall be void, and fresh notice shall be given, and in neglect thereof, or having given such notice, and begun to wet any corn, &c. in pursuance thereof, shall neglect to proceed to cover the whole with water, and to continue the same so covered for 40 hours, or shall begin to wet at any other time than between 4 in the morning and 9 in the evening, or, if after officer hath taken an account, he shall add any fresh thereto, *he shall forfeit 100l. vide Excise Laws. 3 Geo. 3. c. 13. f. 1, 2.*

If any corn, in any cistern, &c. is found so hard as it could not be, unless forced together, to prevent the swelling thereof; every such malster (not a compounder) *shall forfeit 2s. 6d. per bushel. 6 Geo. 1. c. 21. f. 8. vide Idem.*

And if any unmalted oats or barley be mixed with malt, shipped for exportation, *shall forfeit 5s. per ditto. Idem. f. 4. vide Idem.*

MANUFACTURES. See WOOLLEN.

MANSLAUGHTER, is the unlawful killing a man, without any prepened malice. See JUSTICES.

MAPLE. See BARKING.

MARINES. All officers, marines, soldiers and mariners, who have been employed in the King's service, and have not since deserted, together with their wives and children, may set up trades in Great Britain and Ireland, without let; and without being liable to be removed from thence to their last legal place of settlement, 'till they become actually chargeable to the parish; and if sued, upon pleading the general issue, they shall be acquitted. *3 Geo. 3. c. 8. f. 1. See ARRESTS.*

MARINER. No master of any ship shall proceed on his voyage, without first agreeing with the mariners for wages, *on pain of forfeiting, on oath of one witness, before a Justice, for every such mariner, 5l. to the use of the Greenwich Hospital; to be levied by distress, and in default, commit. to common gaol, until*

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until paid. 2 Geo. 2. c. 36. f. 1. N. B. On dispute, contract must be produced. f. 8.

Every mariner shall sign such agreement, within 3 days after he shall have entered on board, and if he shall desert, or refuse to proceed on the voyage, &c. or shall desert in parts beyond the seas, after having so signed, *he shall forfeit his wages.* Idem. f. 3, 4.

If he shall so absent himself, and being apprehended, shall refuse to proceed on such voyage, without sufficient reason, *he shall be committed to hard labour, not exceeding 30 days, nor less than 14.* Idem. f. 4.

Mariners shall forfeit 2 days pay, by deduction, to Greenwich Hospital, for every day's absence from ship, without leave. N. B. The master is to enter all penalties in a book. Idem. f. 5. 9.

If any mariner, not entering into his Majesty's service, shall leave the ship to which he shall belong, before discharged in writing from the master, &c. *he shall forfeit 1 month's pay by deduction.* Idem. f. 6. 9.

Any master, not paying mariner his wages in 30 days after coming home (except a covenant to the contrary) *he shall forfeit to him 20s. besides wages due, to be recovered by action in the Courts of Record at Westminster.* Idem. f. 7.

Penalties to be paid to some officer, for the use of the Hospital, within 3 months after deduction, *on pain of treble the value, to be paid to said Hospital, to be recovered by action in the Courts of Record.* Idem. f. 10.

If any master of a merchant ship, during his being abroad, shall force any man ashore, or wilfully leave him behind, or shall refuse to bring home the men he carried out (as are in a condition to return) *he shall suffer 3 months imprisonment, sans bail, &c.* 11 & 12 W. 3. c. 7. f. 18.

MARRIAGE. If any person (except both parties be Quakers or Jews) shall solemnize matrimony in any place, except a church or public chapel (unless by special licence) or, without publication of banns or licence, *he shall be guilty of felony, and be sent to the river Thames, &c. and the marriage be void.* 26 Geo. 2. c. 33. f. 8, 9.

If any person shall knowingly make, in the register book, any false entry, or alter, &c. any such, or cause or assent to same, or forge any licence, or utter, as true, any such falsified register or licence, or copy thereof, &c. *he shall suffer death, sans clergy.* Idem. f. 16.

Marrying two persons, both living, (except where husband or wife shall be continually beyond sea for 7 years together, or shall absent him, or herself, for 7 years in the realm, the one not knowing the other to be living within that time) is *felony*. 1 Jac. 1. c. 11. f. 1, 2. See OFFICE, WARD and WOMAN.

MARSHAL. See GOAL.

MASS. Any person saying or singing mass, *shall (unless he shall conform) forfeit 200 marks, and be committed to goal for 1 year, and from thence till payment thereof, one-third to the King, one-third to the poor, and one-third to the prosecutor, to be recovered by action in the Courts of Record*. N. B. And any person wilfully hearing the same shall forfeit 100 marks, &c. 13 Eliz. c. 1. f. 4, 10, 11. See RELIGION, and RECUSANCY.

MASTERS. See APPRENTICES.

MATRIMONY. See MARRIAGE.

MEAD. See SWEETS.

MEALMEN. See BAKERS.

MEASURES. See WEIGHTS.

MOLASSES. See BREWER.

METHEGLING. See SWEETS.

MIDDLESEX. Debts under 40s. may be determined in a summary way by the county-court of Middlesex, &c. 23 Geo. 2. c. 33. f. 1.

No plaint to be entered in the said county-court, (except in replevin) nor any order or other proceedings to be had by virtue of this act, shall be removed out of said Court by any writ, or otherwise; but such orders shall be final. *Idem*. f. 4.

Where an order for payment of money shall be made, the county-clerk may issue a precept for levying same. *Idem*. f. 6.

Either party not abiding by order made, *shall be committed not exceeding 3 calendar months; but on compliance may be discharged*. *Idem*. f. 5.

Suitors summoned to attend said Court, neglecting, and there not being a sufficient number to proceed, the county-clerk may amerce such suitor, *not exceeding 20s. to the poor, to be recovered by plaint in said court*. *Idem*. f. 8.

Contempt or disturbance of such court, besides being detained during the sitting thereof, *shall be fined at discretion*.

not exceeding 40s. to the poor, to be recovered, (as last). Idem. f. 11.

In suits prosecuted at Westminster, which are liable to be sued in the county-court, and the jury upon trial shall find damages for plaintiff under 40s. unless the judge shall in open court certify on the back of the record, that the freehold or title to plaintiff's land, or that an act of bankruptcy principally came in question at such trial, *no costs shall be awarded to plaintiff, but the defendant shall recover double costs. Idem. f. 19.*

The county-clerk shall take no other fee than directed by the Act, and if any shall not behave well in his office, he may by the Lord Chancellor, Lord Keeper, &c. on the petition of any 24 freeholders of the county, be removed from his office. *Idem. f. 12, 16.*

A table of the fees are to be hung up in the Court. *Idem. f. 12.*

MILITIA. Where any penalty respecting the militia, shall not be duly paid into the Exchequer, or any one shall refuse payment of his quota, the person to whom such default shall be made, shall within 14 days after, certify same to the Clerk of the peace, and in every such case, every such Clerk shall, within 14 days after, certify the same to the Solicitor of the treasury, *on pain of 200l. to him who will sue in the Courts of Record, and the said officer be rendered incapable. N. B.* The Solicitor of the treasury on receipt of such certificate, is by legal means to compel the payment of, &c. and also compel persons to act in obedience to this act. *9 Geo. 3. c. 42. f. 41.*

If any Clerk of the peace shall neglect his duty, according to this act, *exclusive of his office, and being incapable, he shall forfeit 500l. to any who will sue by action in the Courts of Record. Idem. f. 42.*

If any Receiver-general shall wilfully neglect his duty, *he shall forfeit 200l. in like manner. f. 43.*

Chief-constable, ditto. *50l. ditto. f. 44.*

Petty ditto, *20l. ditto. f. 44.*

Solicitor to the Lord High Treasurer, ditto, *exclusive of office, and being incapable, 500l. ditto. f. 46.*

If any person actually serving in any of his Majesty's regular forces, shall offer himself as a substitute in the militia, *he shall forfeit upon the oath of one witness, before a Justice, 10l. to the informer, to be levied by distress, and in default, be committed*

committed to the common goal, not exceeding 3 months. f. 48.

If any person actually inrolled and serving in militia shall so offer himself, *he shall forfeit the same, &c. f. 48.*

If any serjeant, drummer, or fifer, shall inlist in any of his Majesty's other forces, it shall be void. *2 Geo. 3. c. 20. f. 40.*

If any quaker chosen by lot to serve in the militia, shall neglect to appear to take the oath, &c. and serve, or to provide a substitute, some other fit person may be hired by any three deputy lieutenants, or one deputy lieutenant and two Justices, as the substitute of such quaker; and the expences *to be levied by distress. Idem. f. 87, 128.*

Quaker refusing to pay the rates authorised by this act, a Justice may upon complaint of the church-wardens, order reasonable costs, *not exceeding 10s. for levying distress. Idem. f. 88. 128.*

If any unqualified person shall execute any of the powers conferred on deputy-lieutenants, colonels, lieutenant-colonels, or majors, or shall not deliver in his qualification, and take the oaths, *he shall forfeit 200l. and if captains, lieutenants, or ensigns, 100l. half to the person suing, and half to the regimental clerk, to be recovered by action in the Courts of Record. Idem. f. 16, 128.*

Where the militia has not been raised pursuant to *30 Geo. 2. c. 25.* and other subsequent acts, *5l. per man, annually, is to be paid by every such county, &c.* and certificates thereof, and of the sums thereupon due, are to be returned at the Quarter Sessions at the year's end, *and the Justices are to assess the sums so certified, and the treasurer of the county is to pay over the same to the receiver-general, who is to pay the same into the Exchequer, &c.* N. B. The said rates are to be made, levied, and paid distinctly from all other. *Idem. f. 21, 22, 26.*

After notice given of the amount of the rates, the parochial officers, &c. are to rate and levy the monies by a distinct rate and assessment upon the respective towns, &c. and tenants, &c. paying same, are to be allowed it in their rent, but no landlord of any estate not let at rack-rent, shall be obliged so to allow, &c. *Idem. f. 23, 24.*

No person keeping an house of publick entertainment, or who shall sell ale, wine, brandy, &c. by retail shall be appointed a serjeant. *Idem. f. 37.*

If any person chosen to serve (not being a quaker) shall neglect to appear and take the oaths, or to provide a proper substitute,

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substitute, exclusive of being liable to serve again at the expiration of 3 years, he shall forfeit 10*l.* to the regimental clerk, to be levied by distress, and in default, shall be committed by the Justice, to the common goal not exceeding 3 months. *Idem.* f. 42. 128.

Copy of the list is to be affixed on the church door, on some Sunday, three days before return made, with notice of the day of meeting, that persons aggrieved may appeal, after which no appeal will be received. f. 42.

Church-wardens, &c. with consent of the vestry, may provide volunteers, &c. and the money paid to them, to be reimbursed by a parochial rate. f. 45, 46.

If any one shall refuse to pay such rate, not being a balloted person, who shall have served by himself, or by substitute, three years, or who shall be then serving himself, or by substitute, he shall on oath of the church-warden or overseer, before one Justice, pay the same with charges, and in default to be levied by distress. *Idem.* f. 45. 46, & 128.

If the person chosen by lot and inrolled, shall be disappointed of, and discharged within 1 month, no money shall be paid to him, but to the next person chosen in his stead; and no money is to be paid in the case of substitutes, but by an order of the deputy-lieutenants before whom the persons were chosen. *Idem.* 48, 49.

Any master, where a servant shall serve in the militia, refusing to pay him immediately, in proportion to the service he has performed under their agreement at hiring, he shall pay the same after 21 days, or it shall be levied by distress. 2 Geo. 3. c. 20. f. 50. & 20 Geo. 2. c. 19. f. 1, 5.

If any person sworn, &c. to serve in the militia, shall have received any sum for such service, and shall be enlisted in his Majesty's other forces, such inlisting is void, unless the money be returned to the overseers, &c. to be laid out in providing another, &c. and in case such militia-man shall not, at the time of his inlisting, inform the officer inlisting him that he is so, &c. he shall upon oath before a Justice, be committed to the house of correction to hard labour, not exceeding 3 months. *Idem.* f. 54. & 129.

If any other person (other than a church-warden or overseer) shall make any pecuniary contract, &c. to indemnify persons from serving in the militia, or to provide a substitute, or to pay the 10*l.* in lieu thereof; exclusive of such contracts being void, shall forfeit 100*l.* half to the prosecutor, and

and half to the poor, &c. to be recovered by action of debt in the Courts of Record. *Idem.* f. 51.

If any serjeant, drummer, or fifer, in the militia, shall in any place, beat up for volunteers to serve in the militia, the person giving such orders, shall upon oath of one witness, before a Justice, forfeit 20*l.* half to the informer, and half to the regimental flock, &c. to which such serjeant, &c. shall belong, to be levied by distress, and in default to be committed to hard labour for 3 months. *Idem.* f. 55, 128.

Such serjeant, &c. refusing to declare upon oath, before a Magistrate, from whom he received such order, shall be committed to the house of correction to hard labour, not exceeding 3 months. *Idem.* f. 55, 129.

Militia-man not giving notice of changing his abode, and not producing his certificate, he shall forfeit 20*s.* immediately to the regimental clerk, to be levied by distress, and in default commit. to house of correction, not exceeding 1 month. *Idem.* f. 67, 129.

Constable or other officer, neglecting to return the lists, or to comply with orders, or being guilty of fraud or partiality in his returns, he shall by two deputy-lieutenants, and one Justice, or vice versa, forfeit not exceeding 5*l.* nor less than 4*l.* to the regimental clerk, or be imprisoned in the common goal, without bail, &c. for 1 month, to be levied by distress. *Idem.* f. 71.

Persons tampering with the constables, &c. to make a false return, or to make a false return of any list, or to erase or leave thereout the name of any person, shall for every such offence forfeit 50*l.* to the person suing by action of debt, &c. in the Courts of Record at Westminster. *Idem.* f. 72.

If any person in any list described as an apprentice, has been bound so, to avoid serving in the militia, over and above appointing such person to serve upon the first vacancy, the person to whom such apprentice shall be bound, shall forfeit 10*l.* half to the informer, if one; if not, the whole to the regimental clerk, to be levied by distress. (One Justice, and two deputy-lieutenants, or vice versa, or three deputy-lieutenants). *Idem.* f. 73, 128.

Any person refusing to tell their Christian and Surname or such of any man lodging in his house, to any person authorized to demand same, he shall forfeit 10*l.* to the regimental clerk, and in default commit. to the common goal, not exceeding 3 months. *Idem.* f. 72, 128.

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No serjeant or private man serving in the militia, shall, during the time of such service, be liable to do personally any statute duty, or to serve as a peace or parish officer, or to serve in his Majesty's land or sea forces, without consent. *Idem. f. 76.*

Every militia-man falling sick on a march, or at the place of annual exercise, shall be provided for, by an order from the Magistrate of the place, and the expence reimbursed by his proper parish. *Idem. f. 78.*

Officers, and private militia-men, shall be quartered at the times of annual exercise, in inns, livery stables, alehouses, victualling houses, and all houses of persons selling brandy, strong-waters, cyder, wine, or metheglin, by retail, &c. *Idem. f. 100.*

Serjeants, drummers, and fifers, are to be quartered and billeted in like manner, but are to be provided with convenient lodgings only, at such times as no provision has by law been made for that purpose, *i. e.* billeted as the common men during the time of exercise, or being out; but entitled only to lodgings during the rest of the year. *Idem. f. 101.*

During the time of the militia being trained, the provisions in the mutiny act, not extending to life or limb, are to take place for the officers and men. *Idem. f. 99.*

Every man having served in the militia, when drawn out and embodied, being a married man, may set up any trade, in any place in Great-Britain or Ireland, as by 22 Geo. 2. c. 44. is granted to mariners and soldiers, &c. *Idem. f. 79.*

Overseers, &c. are to pay out of the poor rates, by order of some Justice, a weekly allowance to the distressed families of men in actual service, and ordered to march, who shall leave them unable to support themselves. *Idem. f. 81.*

Persons liable to serve, having more than one place of residence, shall be deemed to reside in the county where first returned in the list, and certificates if required, shall be granted gratis of such returns. *Idem. f. 94.*

If any serjeant, &c. intrusted by the captain with the custody of arms, cloaths, or accoutrements, belonging to the militia, shall deliver out the same, unless for exercising the men, or by proper command, *he shall by two Justices be committed to the common goal, sans bail, &c. not exceeding 6 months.* *Idem. f. 106.*

If the person intrusted with the care of arms, &c. shall not complain within 3 days to a neighbouring Justice of the peace, of any militia-man not having returned ditto, *he shall upon oath before a Justice, forfeit 20s. immediately to the regimental clerk, and in default, to be levied by distress.* Idem. f. 112.

If any militia-man shall sell, pawn, or lose his arms, &c. *he shall upon, &c. forfeit 3l. &c. and in default, shall be committed to the house of correction for 1 month, and until satisfaction, &c. and if unable to pay, then for 3 months.* Idem. f. 109, & 128.

If any militia-man shall neglect to return same in good order to his captain, &c. when demanded *he shall forfeit 10s. immediately, and in default be committed to the house of correction to hard labour, not exceeding 14 days.* Idem. 109, 128, 129.

Any person knowingly receiving the same, upon any pretence whatever, *shall forfeit upon oath of one witness, before a Justice, 5l. immediately to the clerk, to be levied by distress, and in default, shall be committed to the common goal, sans bail, for 3 months, or be publicly whipped.* Idem. f. 110, 128.

Notice of the time and place of exercise, shall be sent by the clerk of the general meeting to the constables, or other officers, &c. of the several divisions, and the same to be fixed on the doors of the churches or chapels, &c. and if any militia-men, (not incapacitated) shall not appear, *he shall upon oath of one witness, before a Justice, forfeit 20l. immediately, and in default, be committed to the common goal, sans bail, &c. for 6 months, or until paid.* Idem. f. 103, 128.

When the militia shall be called out to be trained, &c. if any constable or other officer, shall wilfully refuse or neglect to execute his duty in furnishing carriages, &c. *he shall (by two Justices) forfeit not exceeding 40s. nor less than 20s. to the poor, to be levied by distress.* Idem. f. 124.

If any non-commissioned officer shall neglect his duty, or be insolent or disobedient to his superior officer, *upon oath thereof by such superior officer, before a Justice, besides being liable to be discharged by the proper officer, he shall forfeit, not exceeding 30s. immediately, to the regimental clerk, and in default, commit. to the house of correction to hard labour for 14 days.* Idem. f. 114, 128, 129.

In case of actual invasion, or upon imminent danger thereof, or in case of rebellion, if any militia-man being ordered to be drawn out and embodied, (not being incapacitated) shall not appear and march in pursuance of such order, *he shall*

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shall forfeit on oath, before two Justices, 40l. immediately, to the regimental clerk, and in default, shall be committed to the common goal, sans bail, &c. for 12 months, or until paid. Idem. f. 116.

If any one shall harbour or conceal any militia-man, not attending when ordered out into actual service, knowing him to be a militia-man, *he shall forfeit for every such offence, on oath of one witness before a Justice, 5l. to the regimental clerk, to be levied by distress, and in default, commit. to hard labour for 2 months, or to be publicly whipped. Idem. f. 117, 128, 129.*

All constables, &c. are required to be aiding in the execution of this act. *Idem. f. 115.*

Peers, commissioned officers, officers in any of his Majesty's forts, &c. officers non-commissioned, and private men serving, &c. officers commissioned who have served 4 years in the militia, members of both the Universities, clergymen, licensed teachers of any separate congregation, peace officers, articled clerks, apprentices, seamen, seafaring men, persons mustered, trained and doing duty, in any of his Majesty's docks, for the service thereof, and any person being free of the company of watermen, on the river Thames, poor men who have three children born in wedlock, and persons under 18, and above 45 years of age, are exempted. *Idem. f. 42, 43.*

MILLS. Riotously assembling and demolishing, or beginning to demolish, or wilfully burning, or setting fire to any mill, or the works thereof, *is felony sans clergy. 9 Geo. 3. c. 29, f. 1.*

2. N. B. Prosecution must be within 18 months.

MILLERS. See BAKERS.

MINES. No mine of copper, tin, iron, or lead, is to be adjudged a royal mine, though gold or silver may be thence extracted. *1 W. & M. sess. 1. See COLLIERIES.*

MITTS. See GLOVES, and LEATHER.

MOHAIR. See COTTON.

MONEY. See COIN and GOODS.

MONOPOLY. If any person shall disturb or disquiet, &c. any other, by pretext of monopoly, *he shall forfeit treble damages, and double costs to the party grieved. 21 Jac. c. 3. f. 4.*

MONTHS. The month by common law is but 28 days, so in the case of inrollments of deeds, and generally in all cases where a statute speaks of months; but when a statute accounteth by the year, half year, or quarter of a year, then it is to be reckoned according to the calendar; a twelvemonth in the singular

gular number, includes the whole year according to the calendar; but twelve months, six months, &c. in the plural number, shall be accounted after 28 days to every month. 1 *Inst.* 135. 6 *Rep.* 61, 62. *Cro. Jac.* 167, 141.

MORTGAGEE. See EQUITY of Redemption.

MORTMAIN.—No manors, &c. nor money to be laid out in lands, &c. shall be given to charitable uses, (excepting to the two Universities, or the Colleges of Eton, Winchester, or Westminster), unless by deed indented and executed before two witnesses, 12 months before the death of the donor, and inrolled, &c. 9 *Geo.* 2. c. 36. f. 1. 4.

MURDER. Rescuing any person committed for, or found guilty of murder, or going to execution, or during execution, is felony sans clergy. 25 *Geo.* 2. c. 37. f. 9.

Any person being examined before three of the King's council, upon any manner of treason, misprison of treasons, or murders, and upon examination, the same appearing to be vehemently suspected; by the King's commandment, his Majesty's commission of oyer and terminer, under his Great Seal, shall be made by the Chancellor to such persons, and into such shires or places, as shall be named and appointed by the King, for the speedy trial, conviction, or delivery of such person, in whatsoever shire or place, whether committed within or without the King's dominions. 33 *Hen.* 8. c. 23. f. 1. See INDICTMENT.

MUSICK. See ENTERTAINMENT.

MUSTERING. If any person shall be, or offer himself to be falsely mustered, he shall on the oath of two witnesses, before the next Justice, be committed to the house of correction for 10 days. *Mutiny Act.* N. B. A certificate thereof must be given under the hands of the Commissary of the musters, or Chief Magistrate.

Wittingly lending or furnishing any horse to be mustered, which belongs not to the troop, if the same belongs to the person lending, &c. he shall upon oath of two witnesses, before the next Justice, forfeit the horse to the person informing; who if he belongs to the service shall have a right to be immediately discharged. And if the horse does not belong to the person lending, &c. he shall, &c. 20l. to the person, &c. who, &c. to be levied by distress, and in default after 4 days, he shall be committed to the common goal sans bail, &c. for 3 months, or be publicly whipped. *Idem.*

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MUTE. Any person being arraigned on any indictment or appeal, for felony, or piracy, and standing mute, *shall be convicted of the, &c. charged in such indictment or appeal, in the same manner as if such person had been otherwise convicted.* 12 Geo. 3. c. 20. f. 1.

If any person be indicted of an offence, for which, being convict, he is excluded his clergy; and he shall stand mute, or will not answer directly to the felony, or shall challenge peremptorily above 20 of the Jury, or shall be outlawed thereupon, *he shall not be admitted to the benefit of his clergy.* 3 W. & M. c. 9. f. 2.

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NAVY. Robbery in the navy, shall be punished on consideration of the circumstances, *with death, or otherwise, by a court-martial.* 22 Geo. 2. c. 33. f. 2. See STORES.

NEWSPAPER. See DUTIES.

NIGHTLY WATCH. See WATCH.

NIGHT SOIL. See BOGHOUSES.

NOBLES. Telling any false news, lies, &c. of the nobles and great men, and great officers of the realm; *shall be taken and imprisoned, till he hath found him, of whom the speech shall be moved.* 12 Rich. 2. c. 11. f. 1.

NONSUIT. See COSTS.

NOTES. All promissory notes, bills of exchange, or drafts, for less than 20s. shall be of no effect; and persons uttering such notes or bills, *shall on oath of one witness, (by one Justice) forfeit immediately, not exceeding 20l. nor less than 5l. half to the poor, and half to the informer, to be levied by distress, with all costs, and till return of distress, may be imprisoned, or give sufficient security for their appearance, &c. on the day appointed for the return of the distress, (which is not to exceed 5 days) and in default be committed for 3 calendar months, unless sooner paid, or notice of appeal.* 15 Geo. 3. c. 51. f. 1, 2, 5, 6, 7. N. B. The conviction to be returned to the next General Quarter Sessions; information must be within 20 days, and action within 3 months. f. 3, 11, 12.

And if any person liable to the payment of such notes, bills of exchange, &c. issued before the 24th of June, 1775. shall neglect or fail to make the same by 3 days after demand (the

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(the party complained of being first summoned, and on his appearance, or in default thereof, upon due proof of such summons) *one Justice, upon oath of the holder, may award payment, and such costs as seem meet, not exceeding 20s. and in default of payment, to be levied by distress.* Idem. See BANK.

NUISANCES. No one shall cast any garbage, dung, entrails, or any other ordure, into the ditches, rivers, waters, or other places, within, about, &c. any city, borough or town, &c. on pain of being called by writ before the Chancellor, at his suit that will complain, and of being punished after his discretion. 12 Rich. 2. c. 13. f. 1.

A writ of nuisance may be maintained against the alienage of him who erected the same. 13 Ed. 1. c. 24. f. 1.

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OAK. See BARKING.

OATHS. In all cases where penalties, &c. are directed to be levied, under Acts, Justices are empowered to administer oaths, &c. for levying such penalties, &c. 15 Geo. 3. c. 39. See ALLEGIANCE.

OBSTRUCTIONS. Obstructions in the streets by empty calks, carts, or other carriages, &c. (except for reasonable time, &c.) upon oath of one witness, before a Justice, shall forfeit, not exceeding 20s. nor less than 5s. half to the informer, and half to the poor, or commit. to hard labour, not exceeding 1 calendar month. 30 Geo. 2. c. 22. f. 5, 7. N. B. The offender may be apprehended by any person seeing the offences committed. f. 13.

Obstructions in the highways, or streets, by drivers of any carriages, upon oath thereof by one witness, before a Justice, shall forfeit, if the owner, not exceeding 20s. and if not the owner, not exceeding 10s. in each case, half to the informer, and half to the surveyor of the highway, if he is not the informer; if he is, the whole to him, and in default, commit. not exceeding 1 month, unless sooner paid. 13 Geo. 3. c. 78. f. 6.

OFFICE. Keeping any office for making insurances on marriages, births, christenings, or service, or any other office, under the denomination of sales of gloves, fans, cards, numbers, or Queen's picture, for the improvement of small sums of money, shall forfeit 500l. and by writing or printing, pub-

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lishing the setting up, or keeping any such office, *shall forfeit* 100*l.* in both cases, *one-third to the King, one-third to the poor, and one-third, with full costs, to the prosecutor, to be recovered by action in the Courts at Westminster.* 10 *Ann. c. 26. f. 109.*

Keeping any ditto, under the denomination of sales of houses, &c. or other things; or selling, or exposing to sale the same, by way of lottery, *shall, on oath of one witness, before two Justices, forfeit (over and above any penalties by former acts, against private lotteries) 500*l.* one-third to the King, one-third to the poor, and one-third to the informer, to be levied by distress, and commitment to the county gaol, sans bail, &c. for 1 year, and from thence 'till paid.* 8 *Geo. 1. c. 2. f. 36.*

Printing or publishing any proposal, or scheme of the like nature, under any denomination whatsoever, *shall, on oath, &c. forfeit 500*l.* one-third, &c. &c. (as last).* *Idem.*

Every person who shall be adventurer in, or shall any way contribute on the account of any such schemes, *shall forfeit double the sum contributed, with costs, half to the King, and half to the prosecutor, to be recovered by action in the Courts at Westminster.* *Idem. f. 37.*

Keeping any such office, or publishing any such proposals, or delivering out tickets to entitle, or exposing to sale any houses, goods, &c. by any game whatsoever, depending upon any lot, (*exclusive of the forfeiture of such things*) *shall, on oath of one witness, before a Justice, forfeit 200*l.* immediately, or give security for same, which shall, after deducting the charges, go one-third to the informer, and two-thirds to the poor; and if in Bath, two-thirds to the hospital there, to be levied by distress, and in default, commit. to the common gaol, not exceeding 6 months.* 12 *Geo. 2. c. 28. f. 1. 4. 8.*

The games of ace of hearts, pharaoh, basset and hazard, are the games or lotteries, by cards or dice, intended by this act. *Idem. f. 2.*

Any witness refusing, or neglecting to appear upon summons, or refusing to give evidence, in either case, *shall forfeit 50*l.* to be levied by distress, and in default, commit. to common gaol, sans bail or mainprize for 6 months.* 18 *Geo. 2. c. 34. f. 4.*

Adventurers in the games of ace of hearts, pharaoh, basset, hazard, game of passage, roly-poly, or any other game, with cards or dice, *shall, on oath of one witness, before a Justice, forfeit 50*l.* immediately, or give security for the same, after*

after deducting reasonable charges, one-third to the informer, and two-thirds to the poor, to be levied by distress, and in default, commit. to common gaol, not exceeding 6 months. 12 Geo. 2. c. 28. s. 3. 13 Geo. 2. c. 19. s. 9. & 18 Geo. 2. c. 34. s. 2.

Justices or mayors, neglecting their duty enjoined by this act, *shall forfeit 10l. for each neglect, half to the prosecutor, and half to the poor, to be recovered by action, &c.* 12 Geo. c. 28. s. 9. Vide PATENT.

OFFICERS OF CUSTOMS. Persons abusing Custom-house officers, &c. *shall (by one Justice) be committed till the next Quarter Sessions, where he may be fined, not exceeding 100l. and the offender to remain in prison till discharged by order, &c. or to discover who set him on.* 13 & 14 Car. 2. c. 11. s. 6.

Such, when 8 in number, or assisting therein, *shall labour on the Thames, &c.* 6 Geo. 1. c. 21. s. 34.

When more than 5 in number, or carrying any offensive arms or weapons, or wearing any vizor, &c. when passing with such goods, &c. *the like.* 8 Geo. 1. c. 18. s. 6.

Such offender, before conviction, discovering to conviction two accomplices, within 2 months after offence, so as the value of the goods discovered shall exceed 50l. besides being acquitted, *shall receive 40l. and if any other person shall so discover, within 3 months, over and above any other rewards, he shall receive 40l. of receiver-general and cashier of the Customs and Excise.* Idem. s. 7. 8. 9.

If any officer of the customs shall embezzle any goods or merchandizes in his custody, *he shall forfeit, for every such offence, double the value of the goods, &c. with full costs to the party grieved, to be recovered by action in the Courts at Westminster.* 8 Ann. c. 13. s. 9, 27. See CUSTOMS.

OFFICERS OF EXCISE. If any person employed about the duty of excise, shall demand, or receive any money or other reward, except from his Majesty, *he shall, upon oath of two witnesses, before two Justices, forfeit his office and be incapable for the future.* 1 W. & M. c. 24. s. 15. Vide CANDLESTICKS, CUSTOMS, EXCISE, HOBS and SPIRITUOUS LIQUORS.

Obstructing any excise officer, in entering and taking account of spirits, &c. *shall forfeit 50l.* Vide Excise Laws 6 Geo. 1. c. 21. s. 14.

The like in taking samples of spirits, and of the feints, &c. paying for the spirits 10s. and for the feints 1s. per gallon *shall, &c. (as last).* Vide Idem. 24 Geo. 2. c. 40. s. 19.

The officer is to keep an account of the several sorts of wash found in the hands of a distiller, and to charge for materials missing. 4 Ann. c. 12. f. 4. See CANDLES, CUSTOMS, EXCISE, HOPS and SPIRITUOUS LIQUORS.

OFFICERS MILITARY. Any officer deserting, or being concerned in any mutiny, &c. shall, by a Court Martial, suffer death, &c. Mutiny Act.

If any officer shall quarter soldiers, contrary to the act, he shall, upon oath of two witnesses, before two Justices, be disabled to hold any military employment. N. B. Provided the said conviction be affirmed at the next Quarter Sessions, &c. and a certificate thereof transmitted to the Judge Advocate, who, &c. Mut. Act.

Any military officer, for the use of whose troop or company the carriage was provided, forcing or constraining same, shall, upon oath of one witness, before two Justices, forfeit 5l. to the King. Idem. N. B. The Justices are to certify the conviction to the Paymaster General, who is to pay same immediately.

Quartering any of the wives, children, man or maid servants of any officer or soldier (against the owners consent) in any house, he shall, upon oath of one witness, before the next Justice, if an officer, be cashiered, if a constable, 20s. to the party aggrieved, to be levied by distress. Idem.

If any officer in or near the place where he is quartered, shall, without the leave of the Lord of the Manor, under his hand and seal, kill or destroy any hare, coney, pheasant, partridge, pigeon, or any other sort of fowls, poultry or fish, he shall, for every offence, (upon oath of one witness, before a Justice) forfeit 5l. to the poor, and in default, within 2 days, he shall forfeit his commission. Idem.

The major is to take care of an officer's effects, when he dies. Articles of War. f. 18. See SOLDIERS.

ORCHARDS. See FENCE.

OVERSEERS. Overseers or church-wardens being any way negligent in their office, shall, upon complaint before two Justices, forfeit 20s. to the poor, &c. to be levied by distress, and in default, commit. to common gaol, sans bail, &c. till paid. 43 Eliz. c. 2. f. 2, 11.

Refusing to receive any person removed, shall, upon oath of two witnesses, before a Justice, forfeit 5l. to the poor, to be levied by distress, and in default, commit. for 40 days, sans bail, &c. 3 W. & M. c. 11. f. 10.

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If in any place no overseer of the poor shall be appointed, every Justice of the division, at the General Sessions, *shall forfeit 5l. to the poor, to be levied by distress.* 43 Eliz. c. 2. s. 10. See ASSESSMENT, CHURCH-WARDEN, POOR and SETTLEMENT.

Ox. See Cow.

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PALES. See FENCES.

PANNELS. Sheriffs are to array the pannels in assizes 4 days, at least, before the Sessions of the Justices; so that the parties may have the view of the same, if they demand same, on pain of forfeiting 20l. 42 Edw. 3. c. 11. s. 1. See BAILIFFS.

PAPER. See DUTIES, EXCISE and STAMPS.

PAPISTS. See ALLEGIANCE, CHILDREN, JESUIT, MASS and RECUSANT.

PARCHMENT. See DUTIES, EXCISE and STAMPS.

PARENTS. See CHILDREN.

PARISH. In case of any neglect, &c. whereby the life or health of a poor parish child may appear to the guardians, or one of them, to be in danger; the same is to be reported to the select vestry, governors, directors or managers, church-wardens, or overseers of the poor; and if the said vestry, &c. do not take the most efficacious measures to remedy the evil, then the said guardians are to inform and give evidence, &c. before a magistrate, who is impowered to give such directions, &c. as he shall think most proper. 7 Geo. 3. c. 39. s. 8. See CHURCH-WARDEN and FOUNDLING.

PARK. See DEER.

PARSNIPS. See CABBAGES.

PARTRIDGES. Any person whatsoever killing, or having in his possession, upon any pretence whatsoever, any partridge, between Feb. 12. and Sept. 1. *shall forfeit 5l. with double costs to him who shall sue (within 6 months) by action in the Courts of Record, Westminster.* 2 Geo. 3. c. 19. s. 4, 5, 6. See EGGS.

PARTY-WALLS. Any person hindering or obstructing any workman, employed for any of the purposes relative to party-walls, or damaging the work, *shall (by two Justices) forfeit 10l.* half

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If any workman or servant to any master workman, or other person, shall wilfully, carelessly, or negligently, and without the direction, privity, or consent of his master, do any thing in or about such building, &c. contrary to this Act, *he shall, on oath of one witness, before one Justice, or the Lord Mayor, forfeit 50s. immediately, half to the poor, and half to the informer, and in default, commit. to the house of correction, sans bail, &c. not exceeding 3 months, or less than 1 month, unless sooner paid.* Idem. §. 66.

Buildings proved, on oath of two witnesses, to be contrary to the regulations, &c. shall be deemed a nuisance, and the builder or owner, or one of them, at the discretion of the Lord Mayor, or two Justices, shall enter into a recognizance, in such sum as they shall appoint, for abating, &c. the same, within such time as they shall appoint; or otherwise to amend the same, according to the act, and in default of entering into such recognizance, *commit. to the common gaol, sans bail, &c. till said building shall be abated, demolished, or otherwise amended.* Idem. §. 60.

Notice of building shall be given to the surveyor, *on pain of forfeiting treble satisfaction, and 20l. to the surveyor, to be recovered by action in the Courts at Westminster.* Idem. §. 63, 64.

Party-walls are to be surveyed, within 14 days after finished, and oath made of their conformity to the act, before the Lord Mayor or a Justice, and builders neglecting to cause such oath, *shall forfeit 10l.* Idem. §. 67.

PATENT. No patent or grant of any office or employment, civil or military, shall determine by the King's death, but shall be in force for 6 months after, unless, in the mean time, superseded or made void by the immediate successor, &c. 1 Ann. stat. 1. c. 8. §. 2.

PAVING. See WESTMINSTER.

PAWNING. Where A pawns B's property, and the pawn-broker ignorantly receives it as A's property, *an action of trover will lie.* Com. Law.

If goods pawned are perishable, and no day being appointed for payment, they become spoiled, without default in the pawnee, *the pawner shall bear the loss, and the pawnee have action of debt for his money.* Idem.

Pawning goods, without the owner's authority, or exchanging or disposing of the same, *shall, upon oath of one witness, before a Justice, forfeit 20s. to the person injured, or be committed for 14 days to hard labour; and if within 3 days of the expiration of that term it be not paid, to be whipped, on application of prosecutor.* 30 Geo. 2. c. 24. s. 3.

Where goods pawned are damaged, the Justice *shall, upon oath thereof, award satisfaction to the party injured, deducting the principal and interest, &c.* *Idem.* s. 5.

Persons offering goods to sale, pawn or exchange, and not giving a satisfactory account, &c. may be detained, &c. and delivered to some peace officer, who is to bring him and the said goods before some magistrate, *who after, &c. may commit him for farther, &c. not exceeding 6 days, and if on either of the examinations it shall appear that the said goods were illegally obtained, he shall be committed, to be dealt with according to law.* *Idem.* s. 7, 8.

If such goods should appear to be the property of the person offering same, the person so detaining him is indemnified. *Idem.* s. 8.

PAWNBROKERS. Pawnbrokers refusing to deliver goods, pawned for any sum, not exceeding 10l. within 2 years, tender having been made of principal and interest, *shall, upon oath of one witness, before a Justice, or upon producing a duplicate of the entry, make satisfaction, or be committed, sans bail, until, &c.* *Idem.* s. 10.

Justices, on oath of the owner, may issue search warrants, and if any one shall, in the day time, obstruct the execution thereof, the officer may break open the door, and the party so obstructing, *shall upon, &c. (as last) forfeit 5l. immediately, or within 24 hours, to the poor, and in default, commit. to hard labour, not exceeding 1 month, nor less than 5 days, unless, &c.* *Idem.* s. 9.

The goods found upon, &c. *to be restored.* *Idem.*

Not making entry of the sale of goods pawned for 2l. or upwards, or not returning the overplus arising from the sale, on demand of the owner, or, &c. or refusing the owner, &c. the inspection of such entry, or not selling the same for the best price, &c. *shall forfeit treble the value to the person injured, to be recovered by action of debt, &c. in the Courts of Record at Westminster.* *Idem.* s. 12.

Pawnbrokers to make entry of goods pawned or exchanged, with a description of the goods, and the sum advanced

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vanced, with the day and year, &c. and the name and place of abode of the person pawning, and if required, to give a duplicate, *upon pain of forfeiting, on oath of one witness, before a Justice, 5l. to the poor, to be recovered by distress.* *Idem.* f. 4.

Knowingly buying, or taking in as a pledge, any linen or apparel, entrusted to another to wash, scour, iron, mend, or make up, *upon oath of one witness, before a Justice, shall forfeit double the same, and restore the goods in the presence of the Justice.* *Idem.* f. 6.

Summonses and warrants are to be issued without fee. *Idem.* f. 13.

Any pawnbroker, on request made by any person from whom any goods shall be wrongfully purloined, &c. denying and refusing to manifest how he came by the same, &c. *shall forfeit double the value to the owner, to be recovered by action in the Courts at Westminster.* 1 Jac. 1. c. 21. f. 7. See GREENWICH HOSPITAL and SHOEMAKERS.

PEARS. See APPLES.

PEASE. See CABBAGE.

PEDLARS. See HAWKERS and SPIRITUOUS LIQUORS.

PEERESSES. Peeresses shall be tried, as peers, for treason and felony. 20 H. 6. c. 9. f. 1.

PELTS. See SKINS.

PENALTY. His Majesty's part of all penalties, levied by Justices, &c. relating to hackney-coaches or chairs, to be transmitted to the receiver-general of these duties, and also a certificate thereof to the commissioners, within 10 days after levied, *upon pain of 10l. half to the King, and half to him who will sue.* 10 Geo. 3. c. 44. f. 8. Vide Excise Laws.

PENAL STATUTE. See INFORMATION.

PERJURY. Committing wilful and corrupt perjury, or subornation of perjury, *shall be committed to hard labour, not exceeding 7 years, or be sent to the Thames, &c.* 20 Geo. 2. c. 25. f. 2.

The Justices of assize, &c. may direct perjured persons to be prosecuted, and may assign the prosecutor council; the prosecution to be carried on without any fee, gratuity, &c. 23 Geo. 2. c. 11. f. 3. See BANKRUPT.

PERRY. See CYDER.

PERSONATING. See WAGES.

PWTER. See BRASS.

PNEASANTS.

PHEASANTS. Any person whatsoever killing, or having in his possession, any pheasant between Feb. 1. and Oct. 1. shall forfeit 5*l.* with double costs to him who shall sue, within 6 months, by action in the Courts of Record, Westminster. 2 Geo. 3. c. 19. s. 4, 5. See EGGS.

PIEPOWDER. No steward, &c. nor other minister of any such courts, shall hold plea, unless the plaintiff, or his attorney, in the defendant's presence, do swear, upon the declaration, that the contract, &c. contained therein, was made, &c. within the time and jurisdiction of the fair, on pain of forfeiting 100*l.* half to the King, and half to him who will sue, in his own name, by action of debt in the Courts of Record. 17 Ed. 4. c. 2. s. 1. N. B. Nothing in this act to be prejudicial to the franchise of the bishoprick of Durham.

Persons shooting at, or by any means killing, or taking, with intent to destroy, any house-dove, or pigeons, shall, upon oath of one witness, before a Justice, forfeit 20*s.* immediately to the informer, or commit, to the common gaol, or house of correction, to hard labour, not exceeding 3 calendar months, nor less than 1. 2 Geo. 3. c. 29. s. 1. N. B. Prosecution within 2 calendar months.

PINE APPLES. See ROOTS.

PIPE. See BREWER.

PIRACY. All piracies, &c. committed on the sea, rivers, &c. where the admiral has jurisdiction, &c. may be tried, &c. at sea, or on land, in any of his Majesty's islands, &c. appointed by the King's commission, directed, &c. as his Majesty shall think fit. The Commissioners (and they alone seem to) have full power, jointly or severally, by warrant, to commit any person, against whom information of piracy, &c. shall be given upon oath, and to call a Court of Admiralty, consisting of seven persons, at least; and for want of seven, then any three of the Commissioners may call merchants.

Any other persons, being merchants, factors, planters, sea-captains, lieutenants, or warrant officers, &c. to make up the number. 11 & 12 W. 3. c. 7. s. 1, 2, 3.

Such persons assembled, may proceed, according to the course of the Admiralty, in hearing and determining any case of piracy, &c. and give sentence of death, &c. &c. *Idem.* s. 4.

If any of the King's subjects, &c. shall commit hostility against others of the King's subjects, at sea, under colour

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of a commission, &c. from any foreign prince, &c. *they shall be adjudged pirates and suffer accordingly. Idem. f. 8.*

If any commander, or mariner, shall betray his trust, &c. or voluntarily yield up his ship to an enemy, or combine so to do, &c. or shall lay violent hands upon his commander, &c. *he shall be the same. Idem. f. 9.*

If any person on land, or sea, shall knowingly set forth, aid or assist any pirate, or shall conceal such pirate, or receive any vessel or goods piratically taken, *he shall suffer as a principal. Idem. f. 10.*

PLANTS. Plucking up, cutting, spoiling, or taking away any root, shrub, or plant, out of any cultivated land, *shall upon oath of one witness, before a Justice, forfeit for the first offence, not exceeding 40s. with the charges, half to the informer, and half to the person grieved, and in default of payment immediately, to be commit. for 1 month; for the second offence, not exceeding 5l. or commitment for 3 months, and for a third offence, to be sent to hard labour on the Thames, &c. 6 Geo. 3. c. 48. f. 3, 6, 8. See TREES.*

PLATE. See WIRE.

PLAYS. If any person shall act, or cause to be acted, any new play, or any part added to an old play, or any new prologue, or epilogue, unless a true copy thereof be sent to the Lord Chamberlain 14 days before the acting, &c. or acting same against his prohibition, *exclusive of the licence of the playhouse becoming void, he shall upon oath of one witness, before a Justice, forfeit 50l. half to the informer, and half to the poor, to be levied by distress, and in default commit. to the house of correction, not exceeding 6 months, to hard labour, or to the common gaol, not exceeding 6 calendar months, sans bail, &c. 10 Geo. 2. c. 28. f. 3, 4, 6, 8. See ALEHOUSES.*

PLEA. No dilatory plea shall be received in any Court of Record, unless the party offering such plea by affidavit, prove the truth thereof, or shew some probable matter to the Court, &c. *4 Ann. c. 16. f. 11.*

POLICY. See INSURANCE, and SHIP.

POOR. No Justice shall order relief to any poor person, until oath be made before such Justice of some reasonable cause, and that the same had by himself, or some other, applied for relief to the parishioners of the parish at some vestry or other public meeting, &c. or to two of the overseers of the poor of such parish, and was refused by them, &c. and until such Justice hath summoned two of the overseers to shew cause why,

why, &c. and the person so summoned hath been heard, or made default to appear, &c. 9 Geo. 1. c. 7. f. 1.

The goods of any person assessed and refusing to pay, may be levied by distress, in any place within the county or precinct; and if sufficient distress cannot be found therein, on oath thereof before some Justice of any other county or precinct, (which shall be certified on said warrant), such goods may be levied in such other county by virtue thereof. 17 Geo. 2. c. 38. f. 7.

Officers not obeying this Act, shall on oath before two Justices, forfeit not exceeding 5l. nor less than 20s. to be levied by distress. *Idem.* f. 14.

Persons receiving alms to wear a badge, &c. on the shoulder of the right sleeve, on penalty of being abridged of such relief, or commit. to the house of correction to be whipped, &c. not exceeding 21 days. 8 & 9 W. 3. c. 30. f. 2.

If any churchwarden or overseer, &c. shall relieve any person not having such badge, he shall on oath of one witness, before a Justice, forfeit for every such offence 20s. half to the informer, and half to the poor, to be levied by distress. *Idem.*

Succeeding overseers are to levy all arrears, and thereon to reimburse to their predecessors all sums which they have expended for the poor, and which are allowed to be due to them in their accounts, on pain of forfeiting (by two Justices) within 2 calendar months after offence committed, not exceeding 5l. nor less than 20s. to the poor, to be levied by distress. 17 Geo. 2. c. 38. f. 11, 14.

Churchwardens, &c. making payments to the use of the poor, other than in lawful money, shall forfeit, on oath of one witness, before a Justice, not exceeding 20s. nor less than 10s. to the use of any poor person or persons of the parish, at the discretion of the Justice, to be levied by distress. 9 Geo. 3. c. 37. f. 7.

Parents or children of poor persons, being able, refusing to relieve each other, according to the rate fixed by the Justices, at their Quarter Sessions, shall forfeit 20s. for every month default, to the poor, to be levied by distress, and in default, commit. sans bail, &c. until, &c. 43 Eliz. c. 2. f. 7, 10.

Poor refusing to work, may by a Justice be committed to the house of correction, or common gaol. *Idem.* f. 1, 4.
 APPEAL, ASSESSMENTS, and CHURCHWARDENS.

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POST. See LETTER. Postboy unlawfully collecting, receiving, or conveying letters, *shall upon oath of one witness, before a Justice, forfeit for every letter or packet, 10s. immediately to the informer, and in default, commit. to hard labour, not exceeding 2 months, nor less than 1.* 5 Geo. 3. c. 25. s. 21.

Any person whatsoever employed in the post-office, in receiving, sorting, conveying, &c. secreting, or destroying, &c. any letter, &c. containing any bank note, or other note whatsoever, for payment of money, or stealing thereout any such, *is felony, without benefit of clergy.* 7 Geo. 3. c. 50. s. 1.

Destroying any letter, to be forwarded by the post, for which he has received postage; or advancing postage of any letter, and not duly accounting for the money, *is felony, with clergy.* *Idem.* s. 3.

Debts for letters (not exceeding 5l.) are recoverable before Justices of the peace, as small tythes. See TYTHES. 9 Ann. c. 10. s. 30.

The postmaster-general, and his deputy, and no other person, shall provide horses and furniture, for any person riding post, in any of the post roads, (who may charge 3d. per mile, per horse), and 4d. per mile, for the guide, including bundles, &c. not exceeding 80lb. *on pain of forfeiting 5l. for every offence, half to the King, and half to the prosecutor, with full costs of suit, to be recovered by action of debt in the Courts of Record.* 9 Ann. c. 10. s. 5, 14, 17, 19.

And if any postmaster doth not, or cannot furnish persons riding in post, with sufficient horses, within one half hour after demand, (in which case, such person may provide for himself, &c.) and the postmaster neglecting herein, *shall forfeit, &c. (as last).* *Idem.* s. 20, 21.

If any person employed in the post-office, shall interfere in elections for members of parliament, (exclusive of being incapable) *shall forfeit 100l. half to the informer, and half to the poor, to be recovered by action of debt in the Courts of Record.* *Idem.* s. 44. See LETTERS, and MAIL.

POST-CHAISE. See CARRIAGES.

POSTS. See FENCES.

POTATOES. See CABBAGES.

POWDER. See GUN-POWDER, and HAIR-POWDER.

PRAYERS. Any minister that ought to use the Common Prayers, or to administer the Sacraments, refusing so to do, or derogating

gating therefrom, shall upon indictment at the next General Sessions, for the first offence, *exclusive of forfeiting one year's profit of all his spiritual promotions, be imprisoned for 6 months, sans bail, &c.* for the second offence, *imprisonment for 1 year, and be ipso facto, deprived of all spiritual promotions; and for the third, exclusive of being so deprived, suffer imprisonment for life.* 1 Eliz. c. 2. §. 4, 17, 20.

Any minister, &c. not having any spiritual promotion shall upon, &c. (as last), *be imprisoned for 1 year, sans bail, &c.* Idem. §. 8.

Any person whatsoever speaking, &c. any thing in derogation of the same, or procuring any minister to do so, or interrupting any such to say the same Common Prayer, for the first offence, *shall upon, &c. (as last), forfeit 100 marks to the King, and in default of payment, within 6 weeks, after conviction, imprisonment sans bail, or, &c. for 6 months; for the second offence, 400 marks, and in default, &c. imprisonment for 12 months, sans bail, &c. and for the third offence, all his goods and chattels, and imprisonment for life, sans bail, &c.* Idem. §. 9, 10, 11, 12, 13, & 20.

Any resident incumbent, who resides upon his living, and keeps a curate, (not having lawful impediment), neglecting to read openly (at least once a month) the Common Prayers, &c. &c. *shall upon oath of two witnesses, before two Justices, forfeit 5l. to the overseers, within 10 days after conviction, or to be levied by distress.* 13 & 14 Car. 2. c. 4. §. 7.

PRISONERS. To suffer a prisoner to have greater liberty than he ought to have, as to admit a person to bail, or to licence one to go abroad, who is to be kept in close custody, is an *escape, and indictable.* Common Law.

Breaking prison only where the prisoner was in custody for a felony, is *felony.* 1 Edw. 2. stat. 2.

Prisoners charged with any felony or other crimes in England and Wales, against whom no bill of indictment shall be found, or who shall be discharged by proclamation for want of prosecution, shall be immediately set at large in open court, without payment of any fee to any one, and the Treasurer of such counties, &c. as are not assessed at large, &c. on receipt of a certificate signed by a Judge, &c. shall pay to such gaoler, &c. not exceeding 13s. 4d. in lieu thereof. 14 Geo. 3. c. 20. §. 1, 2.

Gaolers are to permit prisoners to send for victuals from what place they please, and to have such bedding, &c. as

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they think fit, on pain of being accounted guilty of a misdemeanour, and besides such penalties, &c. as he shall be liable to by other laws in force, he shall forfeit 50*l.* with treble costs, to the party grieved, to be recovered by action in the Courts at Westminster. 2 Geo. 2. c. 22. s. 3.

None but lawful fees to be taken of prisoners, on pain of the same, &c. s. 4.

Tables are to be made of such fees, and hung up in every gaol. *Idem.* s. 3, 4.

Gaolers, bailiffs, &c. (upon the petition of any prisoner complaining of any abuse whatsoever, unto any of the Courts of Record at Westminster in Term time, or to any of the Justices thereof in vacation time, or Judges of assize), may be punished in a summary way, as such Court, &c. shall think fit. *Idem.* s. 6, 14. See ASSISTING, ESCAPE, and GOAL.

PRIVATELY stealing. See STEALING.

PRIVATE conveyance. See BREWER.

PRIVILEGED places. Persons opposing any officer, or aiding, &c. therein, the execution of any process, in pretended privileged places, shall for every such offence forfeit 50*l.* and be committed by one Justice, to the common gaol, sans bail or mainprize, until the next general goal delivery, when he shall suffer such punishment, and be set in the pillory, as the Court shall think fit. 8 & 9 W. 3. c. 27. s. 14.

Any person making rescous of any prisoner, taken upon any such process, &c. or aiding therein, shall forfeit 500*l.* to the plaintiff in such action, and in default of payment thereof and full costs, within 1 month, &c. be sent to labour on the Thames, to be recovered, &c. by action in the Courts at Westminster. *Idem.*

If any person inhabiting within any pretended privileged places, shall knowingly receive, conceal, &c. any person who shall have made any such rescous, unless he shall within 1 month after conviction, pay to the plaintiff in such action the full debt, with full costs, he shall be sent to labour on the Thames. *Idem.*

PROMISSORY notes. See NOTES, STEALING.

PROPHECIES. Publishers of false prophecies, shall forfeit for the first offence 10*l.* and imprisonment for 1 year, sans bail: for the second, his goods and chattels, real and personal, and imprisonment, sans bail, &c. for life; half in both cases to the King, and half to him who will sue in the Courts of Record, or before a Justice,

Justice, &c. 5 Eliz. c. 15. f. 2, 3, 4, 5. N. B. Prosecution within 6 months after, &c.

PROSECUTION. Prosecuting to conviction without benefit of clergy, any person for taking a reward for helping to stolen goods, *shall have a reward of* 40l. 6 Geo. 1. c. 23. f. 9.

Any Court before whom any person has been tried and convicted of grand or petit larceny, or other felony, at the prayer of the prosecutor, and in consideration of his circumstances, may order the Treasurer of the county, to pay him so much as to the Court shall seem reasonable, not exceeding his expences, and making him a reasonable allowance for his time, &c. 25 Geo. 2. c. 36. f. 11.

PUBLICAN. See ALEHOUSE.

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QUAKERS. Quakers refusing to pay or compound for his great and small tythes, or any church-rate, if the sum be under 10l. *two Justices, on oath of one witness, may by their warrant convene before them such Quakers, &c. and order payment with costs; and on refusal, to be levied by distress.* 7 & 8 W. 3. c. 34. f. 4. & 1 Geo. 1. c. 6. f. 2.

In cases wherein an oath shall be required, the solemn affirmation of Quakers shall be allowed; and if any Quaker shall be convicted of wilful, false, or corrupt affirming or declaring any thing, which, if sworn in the usual form, would have amounted to corrupt perjury, *he shall suffer as in case of perjury.* 22 Geo. 2. c. 46. f. 36.

No Quaker shall, by virtue of any Act, be qualified or permitted to give evidence, unless on oath, in any criminal cause, or serve on any juries, or bear any office of profit in the Government. 7 & 8 W. 3. c. 34. f. 6.

Quakers refusing to subscribe the declaration of fidelity, shall be disabled to vote at elections for Parliament. *Idem.* c. 27. f. 19. See DISTRESS and MILITIA.

QUARTERING SOLDIERS. Soldiers are to be quartered in inns, livery stables, alehouses, victualling houses, and the houses of sellers of wine by retail, to be drank in their houses (except tavern-keepers, being freemen of the company of Vintners), and in all houses of persons selling brandy, strong waters, cyder, or metheglin, by retail, to be drank in houses

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houses (except the houses of distillers, &c. and of shopkeepers, whose principal dealings shall be more in other goods, &c. than in brandy and strong waters) and in no other house, &c. 14 Geo. 3. f. 26. See ALEHOUSE, CONSTABLES and OFFICERS MILITARY.

QUAY. See KEY.

QUICKSETS. Any person destroying or spoiling quicksets, &c. shall, upon oath of one witness, before two Justices, be committed to the house of correction, to hard labour, for 3 months, sans bail, &c. and whipped once a month, &c. and where no house of correction, to the prison for 4 months, &c. &c. by common hangman. 1 Geo. 1. stat. 2. c. 48. f. 2. & 6 Geo. 1. c. 16. f. 2. See HOLLIES.

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RAILS. See FENCES.

RATES WATCH. If any person who shall be liable to the payment of any sum, by any assessment, shall refuse, &c. so to do, the same may be levied by distress (two Justices). 14 Geo. 3. c. 90. f. 32.

Persons who move from, and those who enter into houses, are to pay proportionable rates. *Idem.* f. 34.

If any house shall be occupied by separate families, any one of such families may be charged with the whole assessment, and in case of non-payment, the goods of any (lodgers, &c.) may be distrained. *Idem.* f. 29, 30.

Any person assessed, and refusing, &c. to pay, may be distrained in any place in Middlesex, or the city and liberty of Westminster; and in default thereof, on oath made thereof, and of the signing of the warrant of distress, before any Justice, &c. for any other county, &c. the goods of such person may be taken, &c. in such other county. *Idem.* f. 33.

Assessments on houses occupied by ambassadors, &c. are to be paid by the landlords, and every rate which shall be assessed on any person, who after the making such assessment shall remove out of the parish, &c. leaving the sum so assessed unpaid, shall be levied by distress on the goods of the landlord, &c. wherever found. *Idem.* f. 31.

Collectors refusing, &c. to give accounts, or to pay the monies

monies remaining, &c. *shall, on oath of one witness, before two Justices, be committed, sans bail, &c. until, &c. Idem.*

Executors, administrators, &c. of collectors, are to deliver up all rates, papers, &c. within 40 days after required, *on pain of forfeiting, over and above what shall be in their hands, 50l. and on refusal, to be levied by distress (two Justices).* *Idem. f. 28.* See ASSESSMENTS and SETTLEMENTS.

RAPE. Persons committing rapes are guilty of felony, *sans clergy.* N. B. There must be penetration and emission to make this crime, and if there be not both, an attempt to ravish a woman, though never so outrageous, will be an assault only. 18 Eliz. c. 7. f. 1.

RECEIVERS. Receiving jewels, gold or silver plate, or watches, knowing them to have been stolen, *is felony, and hard labour on the Thames.* 10 Geo. 3. c. 48. f. 1. N. B. Where such stealing was accompanied with a burglary, or by a robbery on the highway, such receiver shall be triable, as well before as after the conviction of the principal felony, whether he shall be in or out of custody. See CLOCKS and COTTON.

RECOGNIZANCES. See ESTREAT. The Baron of the Exchequer are impowered to discharge, upon affidavit and petition, and without *quietus* sued, the recognizances of persons estreated, debts due to the crown, (cases of frauds by contraband trade, and assaulting officers of the revenue excepted). 4 Geo. 3. c. 10. f. 1.

RECUSANCE. Fraudulent conveyances made to avoid the penalty of recusancy, *shall be deemed frustrate, and seized for the King.* 29 Eliz. c. 6. f. 1.

RECUSANTS. No popish recusant convict shall act as a constable, clerk, attorney or solicitor, advocate, proctor, physician, apothecary, judge, minister, clerk or steward of or in any court, or keep any court, register, town-clerk, captains, lieutenant, corporal, serjeant, ancient bearer, or other officer in camp, troop, band or company of soldiers, nor shall be captain, master, governor, or bear any office of charge, of or in any ship, castle or fortress, *on pain, for every such offence, of 100l. to be recovered by action, half to the King, and half to him that shall sue in the Courts of Record.* 3 James 1. c. 5. f. 8.

If any such shall be married, otherwise than in an open church or chapel, and otherwise than according to the order of the church of England, by a minister lawfully authorized, *he shall be utterly disabled to have any estate of freehold in the land,*

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land, tenements, &c. of his wife, as tenant, by the curtesy of England; and if his wife have no lands, &c. whereof he may be intitled as tenant by the curtesy, &c. *he shall forfeit 100l. (as above).* 3 James 1. c. 5. f. 13.

If any woman, being a popish recusant convict, shall be married otherwise than, &c. (as above) *she shall be disabled, not only to claim any dower or jointure, but also her widow's estate, and free-bank in her husband's customary lands, and be disabled to have any part of his goods.* Idem.

Every popish recusant shall, within 1 month after the birth of any child, cause it to be baptized by a lawful minister, in open church or chapel, where baptism is usually administred, *on pain of 100l. one-third to the King, one-third to the poor, and one-third to him that shall sue, by action, &c. in the Courts of Record.* Idem. f. 14.

If any popish recusant, not being excommunicate, shall be buried in any place, other than the church or church-yard, or not according to the Ecclesiastical laws, the executors or administrators of every such person, *shall forfeit 20l. one-third, &c. (as last).* Idem. f. 15.

No popish recusant convict shall be executor or administrator, nor shall be guardian of any child, &c. Idem. f. 22.

REFINERS. See GOLD.

REGRATORS. See FORESTALLERS.

RELIGION. If any person shall disturb any religious worship, or misuse any preacher, &c. upon proof thereof, before any Justice of Peace, by two witnesses, *shall find two sureties to be bound by recognizance in 50l. and in default of such sureties, shall be committed till the next sessions, and on conviction there shall forfeit 20l. to the King.* 1 W. & M. c. 18. f. 18, 19.

N. B. No congregation for religious worship shall be permitted by this Act, until the place be certified and registered, or recorded, of which a certificate shall be granted, &c. See ALLEGIANCE, CHILDREN, JESUIT, MASS and RECUSANT.

REMOVALS. See APPEAL.

RENT. See LANDLORD.

REPLEVISABLE. No persons who have abjured the realm, nor provers, and such as shall be taken with the manner, nor those who have broken the King's prison, thieves openly defamed and known, nor such as have appealed by provers, so long as the provers be living, (if they be not of good name) nor house-burners, nor for false money, nor such as counterfeit the King's seal, or persons excommunicate, taken

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at the request of the bishop, or for manifest offences, or for treason touching the King himself, *shall be replevisable by the common writ, nor without writ.* 3 Edw. 1. c. 15. f. 1.

RESCUE. It is held by the writers on the common law, that to hinder a person to be arrested, who has committed a felony, is a misdemeanor, but no felony: but that if the party be arrested, and then rescued, if the arrest was for felony, the rescuer is a felon; if for treason, a traitor; if for trespass, fineable. See *Hale's Pleas of the Crown*, & 2 *Hawkins*. 140.

Rescuing transports is felony, *sans clergy*. 6 Geo. 1. c. 23. f. 5.

Any persons, to the number of five, assembling to rescue any unlawful retailer of spirituous liquors, or to assault, beat or wound any person, who shall have given, or be about to give, any information or evidence against such offenders, *shall be guilty of felony, and shall be sentenced to hard labour on the Thames.* 11 Geo. 2. c. 26. f. 2.

If any shall forcibly rescue any one in lawful custody for offences by this act, or shall procure any to join him therein, it is *felony sans clergy*. 9 Geo. 1. c. 22. f. 1. See **LANDLORDS, LETTERS and PRIVILEGED PLACES.**

RESTITUTION. There shall be restitution to the owner of stolen goods, after the attainder of the felon. 21 Hen. 8. c. 11. f. 1.

RETAILERS. See **COUNTRYMEN.**

REWARDS. Advertising rewards, with no questions asked, and the printer of such advertisement, *shall respectively forfeit 50l. to him who will sue by action in the Courts of Record.* 25 Geo. 2. c. 36. f. 1.

Persons taking reward for helping to stolen goods, unless they cause the felon to be brought to trial, *shall be guilty of felony, and suffer, &c. according to the nature of the felony committed.* 4 Geo. 1. c. 11. f. 4.

He who shall apprehend, and prosecute to conviction, any one who has privately stolen to the value of 5s. (although no actual breaking, &c. and although no person be put in fear) shall have a certificate, &c. which may be once assigned over; and the possessor shall be discharged from parish and ward offices, where felony committed. 10 & 11 W. 3. c. 23. f. 2.

If any person shall be slain by a felon, in endeavouring to apprehend him, his executors, &c. shall have the certificate *Idem.* f. 4.

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He who shall apprehend any burglar, or person guilty of breaking, &c. any house in the day-time, and prosecute, &c. &c. on tender of such certificate to the sheriff, *he shall pay him 40l. without deduction.* 5 Ann. c. 31. s. 1. & 6 Geo. 1. c. 23. s. 10.

Any person apprehending a felon, whereby the hundred becomes indemnified, *shall, upon oath before two Justices, have 10l. reward, to be assessed upon the hundred, and to be paid to the Justices, who are to pay same over to the apprehender.* 8 Geo. 2. c. 16. s. 9.

If any watchman, or other person, be killed in endeavouring to apprehend a felon, *his executor, &c. shall be intitled to 40l.* See PROSECUTION.

RIBBANDS. Importing ribbands, laces, or girdles, of foreign manufacture, or aiding therein, or vending or concealing, &c. *shall forfeit 200l. half to the King, and half, with costs of suit, to the officer informing, to be recovered by action in a Court of Record.* 5 Geo. 3. c. 48. s. 11. N. B. Officer neglecting to sue in one month after condemnation, any other person may.

RIGHT. See BUYING.

RIOTS. Twelve persons, or more, unlawfully assembled, and not dispersing, within an hour, after commanded, by one Justice, by proclamation, is *felony sans clergy.* 1 Geo. 1. c. 5. s. 1.

Opposing the making proclamation, &c. or if the same be hindered, twelve continuing together, for one hour after such hindrance, having knowledge thereof, *is the same.* *Idem.* s. 5.

If a rioter be departed before the coming of the Justices and Sheriff, and under-sheriff, at least two of the Justices shall diligently enquire, within one month after, and thereof shall determine; and the Justices dwelling nearest, in every county where any riot, &c. shall be, together with the Sheriff, or under-sheriff, shall do execution of this statute, *upon pain of forfeiting 100l. to the King.* 13 H. 4. c. 7. s. 1. 4.

See CHURCHES.

ROAD. Persons appearing armed and disguised in any road, open heath, common or down, is *felony sans clergy.* 9 Geo. 1. c. 22. s. 1.

ROBBERY. Robbery in a booth or tent, in a fair or market, the owner or servant being therein, is *felony sans clergy.* 5 & 6 Edw.

6 *Edw. 6. c. 9. f. 5.* See ACCESSARIES, CHURCHES, LODGINGS, MAIL and NAVY.

ROGUES. Rogues and vagabonds, upon oath of one witness, before a Justice, may be whipped, or committed to the house of correction till next Quarter Sessions, or any less time. 17 *Geo. 2. c. 5. f. 7.* N. B. The Justice may commit, on his own view, and order the overseer to pay 10s. to the apprehender; and any person being charged by a Justice to assist therein, and refusing, shall, upon (same) forfeit 10s. to the poor, to be levied by distress. *Idem. f. 5.*

Incorrigible rogues, may, by the Quarter Sessions, be committed, not exceeding 2 years, nor less than 6 months, and be whipped as the Justices shall think fit. *Idem. f. 9.*

Knowingly permitting any rogue, vagabond, &c. to lodge or take shelter in his house, &c. shall, on oath of one witness, before a Justice, forfeit, not exceeding 40s. nor less than 10s. half to the informer, and half to the poor, to be levied by distress. *Idem. f. 23.*

Any person hindering the execution of the vagrant act, shall, on (same) forfeit not exceeding 5l. nor less than 10s. to the poor, to be levied by distress, and in default, to be committed to hard labour, not exceeding 2 months. *Idem. f. 22.*

Rogues and vagabonds are, 1. Such as go about as patent gatherers of alms, under pretence of loss by fire, or other casualty. 2. As collectors for prisons, gaols or hospitals. 3. Fencers. 4. Bearwards. 5. Common players of interludes, &c. against law. 6. Minstrels. 7. Jugglers. 8. Pretended gypsies. 9. Physiognomists, &c. 10. Impostors by subtle craft. 11. Gamesters. 12. Persons running away and leaving wives, &c. chargeable to a parish. 13. Unlicensed pedlars and petty chapmen. 14. Persons not giving a good account of themselves. 15. Wandering abroad and begging, pretending to be soldiers, mariners or seamen. 16. Pretenders to go to work in harvest. 17. And all other persons wandering abroad and begging. *Idem. f. 2.*

Incorrigible rogues are, 1. All end-gatherers offending against 13 *Geo. 1. c. 23. f. 8.* being convicted of such offence. 2. Persons escaped after apprehended as rogues and vagabonds, or refusing to go before a Justice, or to be examined on oath before him, or refusing to be conveyed by pass, or knowingly giving a false account of themselves, on such examination, after warning given them of their punishment. 3. All rogues or vagabonds who shall escape out of any

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house of correction before his term expired. 4. All who having been punished as rogues and vagabonds, and discharged, shall again commit any of the said offences.

Idem. f. 4. See CONSTABLES, FELONS and IDLE.

ROOTS. Any person maliciously cutting down, spoiling, carrying away, &c. in the night time, any timber, trees, or roots, shrubs or plants, of 5s. value, in any garden, nursery or inclosed ground, &c. &c. and all aiders and abettors therein, or buyers or receivers thereof, *shall be sent to the Thames to hard labour, &c.* 6 Geo. 3. c. 36. f. 1. N. B.

Pine-apples are considered as plants. See PLANTS.

ROPE. See CABLE.

RUBBISH. See ASHES.

RUM. See BRANDY, SPIRITUOUS LIQUORS and VESSEL.

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SABBATH. See ARREST and LORD'S-DAY.

SACRAMENT. Speaking irreverently of the Lord's supper, *is, upon oath of two witnesses, before three Justices in Sessions, imprisonment, and fine and ransom at the King's pleasure.* 1 Edw. 6. c. 1. f. 1.

SADLERS. See CORDWAINERS.

SAILS. See STORES.

SAINT MARTIN-LE-GRAND. Carelessly breaking the lamps in St. Martin's-le-Grand, *upon oath of one witness, before a Justice, shall make satisfaction, at his discretion, to the Commissioners, and if not paid in 3 days after demand, to be levied by distress;* and designedly breaking, extinguishing or damaging the same, *may be seized by any person who shall see same, and upon ditto, shall forfeit, for each lamp, 20s. to the Commissioners, and make satisfaction to them, to be levied by distress, or be committed, not exceeding 1 calendar month, or 'till payment.* 9 Geo. 3. c. 13. f. 27, 28.

Any one carrying, driving, or causing, &c. on any of the foot-pavements, within the said liberty, any carriage whatsoever, or wilfully riding, &c. any horse, ass, &c. may be seized as above, and for the first offence, *upon ditto, shall forfeit 10s. for the second, 20s. and for the third, &c. 40s. to the same, to be levied by distress, or in default, commit. not exceeding 30 days, nor less than 10.* *Idem.* f. 13.

Defacing, &c. the names of streets, &c. 40s. persons without the authority of the Commissioners altering pavement, gl. contractor or paviour after 4 days, after orders given, *shall* forfeit 20s. for every day, pavements remain unrepaired, *Idem.* f. 14, 15, 16, 17.

Occupier of any house or tenement, and every house owner, shall once every day, between the hours of 8 and 10, cause the front and sides of their house or tenement to be cleansed, or *shall*, &c. forfeit 5s. or, &c. &c. *Idem.* f. 25.

Offenders under this act may appeal. f. 49.

SALMON. Sending any salmon from the rivers Severn, Dee, Wye, Teame, Ware, Tees, Ribble, Mersey, Dun, Air, Ouze, Swale, Calder, Wharf, Eure, Derwent, and Trent, of less weight than 6lb. to London; or, buying the same; for every such offence, upon oath of one witness, before a Justice, *shall* forfeit, besides the fish, gl. half to the informer, and half to the poor, &c. to be levied by distress, and in default, commit. to the house of correction, or other county gaol, to hard labour for 3 months, unless sooner paid. 1 Geo. 1. c. 18. f. 15.

SALT. Employing foul salt, otherwise than as manure, *shall* forfeit 60l. one-third to the King, and the rest to the prosecutor, to be recovered by action in the Courts of Record. 8 Geo. 3. c. 25. f. 3.

Officers of the salt duties, being guilty of any fraud or collusion in the execution of their office, (*exclusive of the penalties of their bonds*) *shall* forfeit double the value of the salt, and also 10s. per bushel; half to the King, and half to the prosecutor, to be recovered by action in the Courts of Record, 5 Geo. 3. c. 43. f. 40.

Obstructing officers in the executing their duty, *shall* forfeit 20l. half, &c. &c. *Idem.* f. 43.

Where salt or fish is made liable to forfeiture, the packages, carriages, and cattle employed therein, are forfeited also—subject to mitigation. *vide Excise Laws.* *Idem.* f. 45.

SCALES, false. Any trader subject to the survey of any officer of Excise, using false weights or scales, in weighing his stock, to defraud the King of the duties, *shall* forfeit 100l. half to the King, and half to the prosecutor, to be recovered by action. 10 Geo. 3. c. 44. f. 2, 3.

SCANDALIZING. See NOBLES.

SCAVENGERS. They are to carry away all dirt, &c. daily, and in default, on oath of one witness, before a Justice, forfeit 40s. half to the informer, and half to the poor, to be levied by distress, and

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SCHEDULE. See ESTREATS.

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SEAMAN. See ARREST.

SEARCH-WARRANTS. See WOOLLEN.

SEIZURES. See CARRIAGES, CUSTOMS, SPIRITUOUS LIQUORS, and VESSELS.

SERGE-MAKER. See CLOTHIER.

SERVANTS. See ASSAULT, EMBEZZLING, EXECUTOR, FIRING.

SETTLEMENTS. No person shall be deemed to gain a settlement in any parish, for, or by virtue of any purchase of any estate, &c. in the same, whereof the consideration of the purchase is under 30l. *bona fide* paid, for any longer time than he shall inhabit in such estate. 9 Geo. 1. c. 7. f. 5.

No person being rated or assessed to the scavenger, or repairs of the highways, and duly paying same, shall thereby be deemed to have any legal settlement in any city, parish, &c. *Idem*. f. 6.

No person who shall have bound an apprentice by any deed, &c. not indented, being first legally stamped, shall be liable to be removed from the parish, &c. where he shall have been so bound, &c. and resident 40 days, by reason of such deed, &c. not being indented only. 31 Geo. 2. c. 11. f. 1.

No person bound apprentice, or being a hired servant to one who came into a parish by certificate, and not afterwards having gained a legal settlement therein, &c. shall be adjudged to have any, by reason thereof. 12 Ann. stat. 1. c. 18. f. 2.

No person who shall come into any parish by certificate shall be adjudged to have a settlement, unless he shall really and *bona fide* take a lease of a tenement of the value of 10l. or shall legally execute some annual office in such parish. 9 & 10 W. 3. c. 11. f. 1.

If any person that shall come to reside in any parish, &c. shall bring to the churchwardens, &c. a certificate under the hands and seals of the major part of the churchwardens, &c. of any other parish, &c. attested by two credible witnesses, thereby acknowledging him to be an inhabitant legally settled in that parish, the same having been allowed of, and subscribed

scribed by two Justices of the county, &c. shall oblige the said parish to receive, &c. such person, with his family, as inhabitants of that parish, whenever he or they shall become chargeable, &c. to the parish to whom such certificate was given, and then, and not before, the said person and family shall be removed. 8 & 9 W. 3. c. 30. f. 1.

Settlement by continuing 40 days, to be accounted from the publication of a notice in writing of, &c. and if any churchwarden or overseer shall neglect to read such notice in writing, immediately after divine service in the church, &c. of the parish, on the next Lord's day, *he shall upon oath of two witnesses, before a Justice, forfeit 40s. immediately, to the party grieved; and if he neglect to register the same, the like sum to the poor, to be levied by distress, and in default commit. to the common gaol, sans bail, &c. for 1 month.* 3 W. 3. c. 11. f. 3, 5.

If any person inhabiting any parish, shall for himself execute any public annual office therein, during one whole year, or shall pay the public taxes, or levies, he shall be adjudged to have a legal settlement therein, though no notice. *Idem.* f. 6.—But persons assessed to, and paying the duties on houses and windows, shall not thereby gain a settlement. 21 Geo. 2. c. 10. f. 13.

No unmarried person, not having a child, lawfully hired into any parish, &c. shall have a good settlement therein, unless he shall abide in the same for one year. 8 & 9 W. 3. c. 30. f. 4. See APPEAL, APPRENTICE, POOR.

SEWERS. See COLLIERIES, and WESTMINSTER.

SHEEP. If any person shall directly or indirectly, export any sheep, except wether sheep for necessary food only, &c. wool, wool fells, mortlings, or shorlings, yarn, wool flocks, fuller's earth, or fulling clay, *exclusive of the same, he shall forfeit for every sheep 20s. and for every pound of such wool &c. 3s. half to the King, and half to him that shall sue by action in the Court of Record.*—The owner of the ship, (knowing the offence) shall forfeit his interest in the ship, &c. the master and mariners assisting therein, all their goods and chattels, and be imprisoned 3 months, and any merchant or other person offending herein, be disabled to require any debt from any factor or other, and the offender may be tried in the county from whence they were exported, or where he shall be apprehended. N. B. Prosecution to be in one year, and 9 & 10 W. 3. c. 40. f. 9. within 3 years, and if the ship be long

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SHERIFFS. No Sheriff, nor other the King's officer, shall take any reward to do his office, but what he takes of the King, *on pain of yielding twice as much, and be punished at the King's pleasure.* 3 *Edw.* 1. c. 26. f. 1.

Sheriffs are to array the panels in assizes, 4 days at least before the Sessions of the Justices, so that the parties may have the view thereof, if they please, *on pain of 20l.* 42 *Ed.* 3. c. 11. f. 1.

If any Sheriff, &c. or other person employed in levying debts to the crown, shall take any fee for so doing, &c. (except 4d. only for acquittance) or shall nichil, &c. such debts collected, *he shall forfeit double the sum extorted or nichilled, and treble damages to the party grieved, (by Barons of the Exchequer, in a summary way).* 3 *Geo.* 1. c. 15. f. 13. See *BAILIFF, GAOL, GOODS, PANELS, and PRISONERS.*

SHIP. Any officer or mariner belonging to a ship, wilfully destroying the same, or procuring it, with intent to prejudice any underwriter, or any merchant, &c. *is felony, sans clergy.* 11 *Geo.* 1. c. 29. f. 6. 1 *Ann. stat.* 2. c. 9. f. 4.

Plundering any ship in distress, or wilfully doing any thing tending to the immediate loss thereof, *is the same.* 12 *Ann. stat.* 2. c. 18. f. 5. & 26 *Geo.* 2. c. 19. f. 1. See *FIRING, INSURANCE, KEY, WRECK.*

SHOEMAKERS. If any journeyman shoemaker, within the Bills of Mortality, shall fraudulently purloin, &c. any boots, and shoes, &c. or any materials for making the same, not being his proper goods; or, if any one shall buy, &c. the same, such journeyman immediately upon conviction, *on oath of one witness, before a Justice;* and buyer within 2 days after conviction, *shall respectively award full recompence to the master complaining, to be levied by distress, and in default, to be whipped in the parish, and for every other offence, commit. to the house of correction, not exceeding 1 month, nor less than 14 days.* 9 *Geo.* 1. c. 27. f. 1, 2, 5. N. B. Parties may appeal.

Upon complaint, &c. upon oath, two Justices may issue their warrant for searching, &c. in the day time, the house, warehouse, &c. of any one suspected to have received, &c. and persons hindering, *shall forfeit 10l. to the prosecutor, to be recovered by action of debt in the Courts of Record.* N. B. Prosecution to be within 2 calendar months. And if upon oath
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of one witness, or upon search made, same shall be found, besides restoring same, he shall award satisfaction for damages, &c. costs, &c. to the proprietor, to be levied by distress, and in default, as above. *Idem.* f. 3, 5. *Idem.*

If any person retained in making boots, &c. or other wares for one master, shall suffer himself to be employed by any other, &c. before he hath finished same, he shall on oath thereof, before a Justice, be committed to the house of correction to hard labour, not exceeding 1 month. *Idem.* f. 4.

SHOOTING. If any person shall maliciously shoot at any person, in any place, (see BLACK ACT) it is felony, sans clergy. *Geo.* 1. c. 22. f. 1.

SHOP-BOOK. See BOOK.

SHRUBS. See PLANTS.

SILK. See COTTON, GLOVES, TOOLS, VELVET, and WOOLLER.

SILVER. No person shall vend any silver plate, or any wares in which any silver is manufactured, of the weight of 30 oz. or upwards, without licence, and if he shall do so, he shall forfeit 20*l.* Vide Excise Laws. 32 *Geo.* 2. c. 24. f. 3.

No vessel of silver shall depart out of the hands of the workmen, until assayed by the wardens, and marked, on pain of imprisonment, and ransom at the King's pleasure. 28 *Edw.* 1. c. 20. f. 1. See BULLION, COIN, and GOLD.

SILVER THREAD. See WIRE.

SKINS. No person shall make any pelts, (*i. e.*) pull, shear, clip, or take away from the wool of any sheep-skin, or lamb-skin; or shall buy any skin of any stag, hind, buck, doe, goat, fawn, or kid, or the pelts or skins of ditto, unless he make thereof tawed or lawfully tanned leather or parchment, or otherwise convert the same into semits, pannels, or other own necessary uses, on pain of forfeiting the value of such pelts or skins, so made and bought, and 2*s.* 6*d.* for every skin bought, or pelt so made, half to the King, and half to him that will sue in the Courts of Record. 5 *Eliz.* c. 22. f. 1.

None such shall be transported, on pain of forfeiting same and 2*s.* 6*d.* for every, &c. &c. *Idem.* f. 2.

SLANDER. In all actions on the case for slander, if the jury find the damages under 40*s.* the plaintiff shall have no more costs than damages. 21 *Jac.* 1. c. 16. f. 3, 6. See NOBLES.

SMUGGLER. If any person after the time appointed for surrender, shall knowingly harbour any outlawed smuggler, shall be guilty of felony, and be sent to the Thames. N. B. Prosecution in 1 year. 19 *Geo.* 2. c. 34. f. 3.

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SNUFF. If any one shall make, mix, or colour, or cause, ditto, any snuff with any oker, umber, &c. (except with water tinged with Venetian red only), or shall mix any fustick, &c. or knowingly expose any to sale so coloured or mixed, *he shall forfeit for every pound so adulterated (exclusive of said snuff) 3l. and so in proportion, half to the King, and half to prosecutor, to be recovered by action, &c. 1 Geo. 1. stat. 2. c. 46. §. 7.*

SOAP. See CANDLES.

SOIL. See BOGHOUSE.

SOLDIERS. Inlisting, or procuring to be inlisted, any soldiers for foreign service, *is felony, sans clergy. 9 Geo. 2. c. 30. §. 1, 2. & 29 Geo. 2. c. 17. §. 4.* If this offence be done out of the realm, it may be alledged to have been committed, and may be tried in any county in England.

If any soldiers, shall without leave under the hand and seal, of the Lord of the manor, in the place where he is quartered, kill or destroy any hare, coney, pheasant, partridge, pigeon, or any other sort of fowls, poultry, or fish, for every such offence, *he shall upon oath of one witness, before a Justice, forfeit 20s. to the poor. N. B. The forfeiture to be paid by the officer commanding in chief upon the place. Mutiny Act.*

If any person shall harbour, conceal, or assist any deserter from his Majesty's service, knowing him to be such, *he shall upon, &c. (as last) forfeit 5l. half to the officer to whom such deserter belongs, and half to the informer; in 4 days after conviction, to be levied by distress, and in default, commit. to common gaol, sans bail, &c. for 3 months, or cause such offender to be publickly whipped. Idem.*

If any person shall knowingly detain, buy, or exchange, or otherwise receive any arms, clothes, caps, or other furniture, from any soldier or deserter, upon any pretence, or cause the colour of such clothes to be changed, *he shall, &c. (as last). Idem.*

When any person shall be inlisted, he shall within 4 days, but not sooner than 24 hours after such inlisting, be carried before the next Justice, and shall be at liberty to declare his dissent to such inlisting, and after such declaration and returning the inlisting money, and also paying 20s. for charges, &c. he shall be forthwith discharged, &c. but if he shall refuse or neglect within 24 hours to pay such money, he shall be deemed inlisted; and if any person shall receive the inlisting money from any officer (knowing it to be such) and shall ab-

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second, or refuse to go before a Justice, &c. in order to declare, &c. he shall be deemed enlisted. *Idem.*

Any officer deserting, or being concerned in any mutiny, shall suffer death, (by a court-martial) and any soldier who shall enlist in another corps, without a proper discharge, shall suffer death, &c. or be adjudged to serve in any corps abroad for life or years, at, &c. of a court-martial. *Idem.*---The party tried is intitled, after 3 months, to a copy of the sentence.

Collectors of the land-tax are to pay 20s. to the person that takes, or causes to be taken any deserter, upon warrant from a Justice being produced. *Idem.*

But if any non-commissioned officer shall break open any house or outhouse, to search for a deserter, without a Justices warrant, he shall forfeit 20l. *Idem.*

The commanding officer is to have the care of a private man's effects, when he dies. *Articles of War. f. 18.*

Non-commissioned officers and soldiers, at their enlisting, or within 4 days after, to have the articles of mutiny and desertion read to them, and to be brought before the next Justice, or, &c. to take the oaths of fidelity, and no discharge granted to ditto, shall be allowed of, which is not signed by a field officer of the regiment into which he was enlisted; or commanding officer, where no field officer is, in Great-Britain. *Idem. f. 3.*

All crimes not capital, and all disorders, &c. of officers and soldiers, to the prejudice of good order, &c. though not mentioned in the articles of war, are to be taken cognizance of by a general or regimental court-martial, according to the nature, &c. of the offence, and be punished at their discretion. *Idem. f. 20.*

If any commissioner or captain, to whom the King directs his commandment by commission or letter, for the levying of men to serve him, &c. shall for gain, &c. discharge any person by him appointed, &c. and shall assign another in his stead for lucre, &c. he shall, for every man so discharged, forfeit 20l. to the King, to be levied of his goods. 2 & 3 Edw. 6. c. 2. f. 7. N. B. The informer shall have 1 month's wages of the aggressor, to be paid by the Treasurer, upon warrant, &c. See ALE, ARREST, CONSTABLE, MARINES, and QUARTERING.

SOLICITOR. See CLERK.

SPAWN. See FISH.

SPIRITS. See DISTILLERS.

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SPIRITUOUS LIQUORS. If any person shall offer any tea, brandy, arrack, rum, or strong waters, or spirits, to sale, not having a permit, or if any pedler do so, although he have a permit, the person to whom it is offered, may seize the same, carry it to the next excise warehouse, bring the offender before a magistrate, who may commit him to prison, and may be prosecuted for the penalties incurred for such offence; *one-third of the produce of the sale, to the person seizing, to be recovered in the Courts at Westminster.* 9 Geo. 2. c. 35. f. 20.

No person shall retail any distilled spirituous liquors, or strong waters, mixed or unmixed, without a licence, taken out 10 days before, (for which he shall pay 20s. yearly), if within the Bills, from two Commissioners of excise; elsewhere, from the Collectors and Supervisors, within their respective districts, *on pain of forfeiting not exceeding 50l. nor less than 5l.* Vide Excise Laws. 16 Geo. 2. c. 8. f. 8. & 13 Geo. 3. c. 56. f. 1, 4.

No such licence shall be granted, except to such only who keep taverns, victualling-houses, inns, coffee-houses, or ale-houses. 16 Geo. 2. c. 8. f. 10.

No such shall be granted within the limits of the head office of excise in London, but to such as occupy tenements of 10l. a year, and pay parish rates for same, or where not rated to the poor, 12l. a year; nor to persons in any other part of the kingdom, but to such as pay to the church and poor, and no licence shall be of avail any longer than he shall be so qualified. 24 Geo. 2. c. 40. f. 8. & 26 Geo. 2. c. 13. f. 10.

No such shall be granted, but to persons first licensed to sell ale, or spirituous liquors, by two Justices of the peace. 16 Geo. 2. c. 8. f. 11.

No license shall empower any person to sell spirituous liquors in any place, except in the house, or places thereto belonging, wherein they shall inhabit at the time of granting the licence. 17 Geo. 2. c. 17. f. 21.

All powers provided and established by any act made since 8 Geo. 2. relating to the retailing spirituous liquors without licence, (except the penalty of 100l. imposed by the 9 Geo. 2. c. 23.) may notwithstanding the 5 Geo. 3. c. 46. be lawfully exercised. 9 Geo. 3. c. 6. f. 2.

The powers given to Justices of peace, &c. by former acts, of transporting, or whipping persons who retail spirituous liquors without licence, *are taken away.* Idem. f. 3.

If any retailer of spirituous liquors, with or without licence, shall receive any pawn as security for payment of any sum for such liquors, *shall* (by one Justice) *forfeit for every such pawn 40s. half to the poor, and half to the informer,---The owner may recover the pawn, or its value.* 24 Geo. 2. c. 40. f. 12.

No geneva, or rum, shall be imported in any vessel or cask, not containing 60 gallons, (except for the use of seamen, not exceeding two gallons each, and presents) *on pain of forfeiture.* 5 Geo. 3. c. 43. f. 28, 29.

If any rum or spirits be landed before entry at the custom-house, and with the collector of excise, and the duties secured, or without warrant for landing, or without the presence of an officer, *the same, or the value thereof, shall be forfeited.* See Excise Laws, 15 Geo. 2. c. 25. f. 3.

If any rum or spirits shall be delivered out of the warehouse, contrary to this act, the officer offending, *shall be disabled from holding any public employment, and shall forfeit 100l.* Idem. f. 4.

All spirits drawn from any mixture of spirits, with any wash, or other liquor, (except common water) *shall be deemed low wines, and be chargeable with the duties imposed on low wines drawn from foreign materials.* 10 & 11 W. 3. c. 4. f. 9.

Hawking, selling, or exposing to sale, any brandy, spirituous liquors, or strong waters, by whatsoever name distinguished about the streets, highways, or fields, in any wheelbarrow or basket, or upon the water, in any ship, boat or vessel, or in any other manner or place whatever, other than in such as are allowed, *shall (upon a Justice's own view, or on oath before him) forfeit, for every offence, 10l. immediately half to the informer, and half to the poor, if no informer, and to the poor, and in default, commit. to house of correction, to hard labour for 2 months, unless sooner paid.* 9 Geo. 2. c. 23. f. 13. N. B. Any person may seize the offender, and give notice to a constable. 11 Geo. 2. c. 26. f. 5.

Retailing any spirituous liquors, or strong waters, without licence, *exclusive of the same to be destroyed, shall, upon oath, before a Justice, forfeit 10l. half to the King, and half to the informer, and in default, commit. to hard labour for 2 months, till paid.* N. B. The penalty not to be reduced below 5l. 24 Geo. 2. c. 40. f. 719.

Persons selling any spirituous liquors, mixed or unmixed with any ingredient, &c. in less quantity than two gallons

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Any one retailing less than two gallons, shall, ten days before, make entry in writing of all places intended to be used, at the next Excise-office, *on pain of forfeiting, for every place not entered, 20l. and 40s. for every gallon, together with the liquor and casks.* Vide Excise Laws. 9 Geo. 2. c. 23. f. 6.

No spirituous liquors shall be brought into any retailer's warehouse, or other place, without notice to the officer of Excise, and leaving with him an authentic certificate, that all the duties are paid, &c. &c. *on pain of forfeiting (exclusive of the casks and liquors) 20l.* Vide Idem. Idem. f. 7.

No retailer shall make any increase of liquors after they have been taken an account of, by any private addition, *on pain of forfeiting (exclusive of same to his Majesty) 40s.* Vide Idem. Idem. f. 8.

Dealers are to keep British and foreign spirits separate, *on pain of forfeiting, for every gallon of British, found in the same place with foreign, with the casks, 10s.* 8 Geo. 1. c. 18. f. 11.

Officers may take samples of foreign spirituous liquors (not exceeding half a pint out of each cask, &c.) in any warehouse, &c. belonging to any dealer therein, paying for such the market price, if demanded. 32 Geo. 2. c. 29. f. 2.

Persons giving away spirituous liquors to servants or apprentices, fetching goods from their shops, shall be deemed retailers. 9 Geo. 2. c. 23. f. 16.

Such as have above 63 gallons of arrack, rum, brandy, spirits, or strong waters, shall be deemed sellers therein. 6 Geo. 1. c. 21. f. 18.

Spirits, or low wines, carried coast-wise, without a certificate from the officer of Excise where they were made, that the duty has been paid, *shall be forfeited, and seized by the officers where they shall be brought in.* Vide Excise Laws. 3 Geo. 1. c. 4. f. 17.

If any less quantity than two gallons shall be sold, &c. in any clandestine manner, to any one, in any place belonging to any house, &c. in such case, the occupier consenting thereto, shall be deemed a retailer, *and forfeit as selling without licence.* 11 Geo. 2. c. 26. f. 1.

Where any spirituous liquors shall be sold in any entered place, the officer shall, on request of the seller (without fee) give the buyer a certificate, signed by him, expressing the quantity,

quantity, the names of the buyer and seller, and that the duty has been paid, or that it hath been condemned as forfeited. 6 Geo. 1. c. 21. s. 16.

No spirituous liquors, exceeding one gallon, shall be carried out without a permit, *on pain of forfeiting the same, with the casks, &c.* Idem. s. 17.

Any person taking out a permit, and not removing the liquor accordingly, nor returning the same, *shall forfeit treble value.* Vide Excise Laws. 11 Geo. 1. c. 30. s. 10.

No one shall demand or receive any permit from any officer, for the removal of spirituous liquors, without the special direction, in writing, of the person, or his known servant, from whose stock the same are to be removed, *on pain of forfeiting 50l. and in default, imprisonment for 3 months, sans bail, &c.* Vide Idem. Idem.

No person shall be intitled to an action, &c. for any spirituous liquors, unless such debt shall have been really and *bona fide* contracted at one time, to the amount of 20s. 24 Geo. 2. c. 40. s. 11. See ALE, BRANDY, CARRIAGES, CONSTABLE, CUSTOM, CYDER, DISTILLER, EXCISE, GAOL, RESCUE, VESSEL and WAGES.

SPIRITUAL PERSONS. See FARM and LEASE.

STABBING. Stabbing any person that hath not then any weapon drawn, or that hath not then first stricken the party which shall be so stabbed, &c. shall die within 6 months, although it cannot be proved that the same was done of malice fore-thought, *shall suffer death sans clergy.* 1 Jac. 1. c. 8. s. 2.

STAGE-COACH. See COACHMEN.

STAMPS. Causing any stamps to be affixed to any foreign linens imported, in imitation of the stamps put on Scotch or Irish linens, *shall, upon oath before a Justice, forfeit for each piece, 5l. to the informer, except 2s. in the pound to the constable executing, to be levied by distress, and in default, commit. for 6 months, unless sooner paid.* 17 Geo. 2. c. 30. s. 12.

Knowingly exposing or packing up the same for sale (exclusive of same) *shall, upon, &c. forfeit, &c. &c. &c.* Idem. s. 1, 2.

Affixing any counterfeit stamp on any linen, of the manufacture of Great-Britain or Ireland, in order to vend the same as linen duly stamped, *shall, upon, &c. forfeit, &c. &c. &c.* Idem.

Knowingly exposing, &c. (as above) *shall, upon, &c. forfeit, &c. &c. &c.* Idem.

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Two Justices may, within a year, determine pecuniary forfeitures, on stamp vellum, parchment, or paper, not exceeding 20*l.* or upon any of the stamp acts, relating to the same duties, and may mitigate the penalties, but not to less than double the duties. 10 Ann. c. 19. f. 172, 173. See CALLICOE, GOLDSMITH, SETTLEMENT.

STARCH. Starch-makers not using regular, square, or oblong boxes only, for draining their green-starch, shall forfeit 20*l.* half to the King, and half to him that shall sue, within 6 months. Vide Excise Laws. 4 Geo. 2. c. 14. f. 1. 10.

Such within the weekly bills, to give notice in writing to the proper officer for the duties of starch, when they box any green-starch, 12 hours, and without the bills 24 hours before, on pain of 20*l.* &c. &c. &c. Idem.

Ditto, removing any ditto, before weighed, &c. by the officer, shall forfeit 50*l.* &c. &c. &c. Idem. f. 2. 10. See CANDLES and HAIR-POWDER.

STEALING. Privately stealing any goods, &c. in any shop, &c. of 5*s.* value, although no person therein be put in fear, or assisting, hiring or commanding same, is felony sans clergy. 10 & 11 W. 3. c. 23. f. 1.

Stealing to 5*s.* value, out of any dwelling-house, out-house, &c. or aiding therein, is the same. 39 Eliz. c. 15. f. 2. & 3 W. & M. c. 9. f. 1.

Persons indicted, &c. for feloniously taking any money, goods, &c. from the person of another privily, without his knowledge, in any place, is the same. 8 Eliz. c. 4. f. 2.

Stealing bank notes, bills of exchange, bonds, warrants, bills, or promissory notes, for payment of money, &c. acquittance, &c. is felony, with or without clergy, &c. according to the value, &c. 2 Geo. 2. c. 25. f. 3.

Cutting and taking, stealing or carrying away any cloth, &c. from the tenters, &c. in the night time, shall suffer death, or be sent to labour on the Thames, at the discretion of the Court. 22 Car. 2. c. 5. f. 3, 4. See BRASS, COTTON, KEY, STORES.

TEER. See COW.

FILES. See FENCES.

STOCKINGS. If any person shall export any stocking-frames, or part thereof, exclusive of the same, shall forfeit 40*l.* half to the King, and half to him who shall sue, to be recovered in the Courts of Record. 7 & 8 W. 3. c. 20. f. 8. See FRAMEWORK.

STOCKS.

Stocks. All contracts and agreements whatsoever, between any persons, upon which any premium or consideration, in the nature of a premium, shall be given for liberty to put upon, or to deliver, receive, accept, or refuse any publick or joint stock, or other publick securities; and also all wagers, and contracts in the nature of wagers, &c. &c. relating to the then present or future value of any such stock, &c. *shall be null and void, and all premiums, &c. repaid with double costs, to the person who shall give the same, to be recovered in the Courts of Record.* 7 Geo. 2. c. 8. s. 1, 2. & 10 Geo. 2. c. 8. s. 1.

Every person entering into such contracts, &c. (excepting such as shall actually and *bona fide* sue, and with effect prosecute for the recovery of the premium given, &c. and excepting such who shall voluntarily, before any action commenced, actually and *bona fide* repay or tender, before a witness such monies, &c. as he shall have received; and also excepting discoverers of such transactions in any Court of Equity) and all brokers, agents, scriveners, &c. negotiating or contracting such, &c. *shall forfeit 500l. half to the King, and half to him who will sue by action in the Courts at Westminster.* 7 Geo. 2. c. 8. s. 4. & 10 Geo. 2. c. 8. s. 1.

Every broker, agent, scrivener, &c. negotiating, &c. any such contracts, bargains, &c. *shall forfeit 500l. half to the King, and half to him who will sue for the same, in the Courts of Record.* *Idem.* s. 4. & *Idem.*

No money, &c. shall be voluntarily given or received for the compounding any difference for the not delivering, transferring, &c. any publick stock, or other publick securities or for non-performance of any contract, &c. *on pain of forfeiting 100l. &c. &c. Idem.* s. 5. & *Idem.*

Stock sold for a certain day, and not paid for according to agreement, may be sold to any other person, and the seller recover damage from the person who first contracted. *Idem.* s. 6. & *Idem.*

Stocks bought and not transferred at the time prefixed the buyer may purchase other stock, and recover, &c. (*Idem.* s. 7. & *Idem.*

Persons contracting to transfer, &c. any public securities whereof they shall not at the time of making such, &c. actually possessed of or intitled unto, &c. exclusive of fraud *shall forfeit 500l. &c. &c. Idem.* s. 8. & *Idem.*

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Every broker knowingly negotiating such contracts, *shall, for every offence, forfeit 100l. &c. &c. Idem. & Idem.*

Every broker, &c. receiving brokerage in the buying, selling, &c. any public securities, shall keep a book, &c. in which he shall justly enter all contracts, &c. by him made, &c. &c. *on pain of forfeiting 50l. for every omission, &c. &c. Idem. f. 9. & Idem.*

This Act does not extend to contracts for stock, made with the privity of the Accountant-General of the Court of Chancery. *Idem. f. 10.*

Nor to persons lending money on public stocks, nor to redelivering thereof, on payment of the money lent. *Idem. f. 11.*

Counterfeiting any power to transfer the share of any capital stock of any company, established by Act of Parliament, or personating any proprietor of such share of such stock, is *felony sans clergy. 8 Geo. 1. c. 22. f. 1.*

STQP-COCK. See BREWER.

STORES. Feloniously stealing or embezzling any of his Majesty's sails, cordage, or any other of his Majesty's naval stores, to the value of 20s. *shall suffer death, or be sent to labour on the Thames, at the discretion of the Justices of Assize. 22 Car. 2. c. 5. f. 3, 4.*

Where under 20s. the principal officers and commissioners of the navy, *shall, upon oath of one witness, impose a fine, not exceeding double the value of such stores, to the King; and in default of distress, imprisonment, sans bail or mainprize, not exceeding 3 months. N. B. The party so offended to be convicted under hand and seal of said officers. 1 Geo. 1. stat. 2. c. 25. f. 4.*

No naval or warlike stores, except for the King's use, shall be made with the King's marks, &c. *on pain of forfeiting 200l. half to the King, and half, with costs of suit, to the informer, to be recovered in the Courts at Westminster. 9 & 10 W. 3. c. 41. f. 1.*

Such persons, in whose possession such stores, &c. shall be found, or who shall conceal the same, being thereof convicted, and who shall not produce a certificate, &c. under the hand of three or more of the principal officers, &c. expressing the numbers, &c. *shall forfeit 200l. &c. &c. and imprisonment 'till paid. Idem. f. 2. See EMBEZZLING.*

STRAW. Persons exposing to sale (within the weekly bills, or within 30 miles thereof) any trufs of good and sound straw,

of less weight than 36lb. or with the inside of a different quality from the outside, *shall, upon oath before a Justice, forfeit, for every bundle, 1s. half to the informer, and half to the poor, to be levied by distress, and in default, imprisonment, not longer than 1 month, nor less than 10 days, unless sooner paid.* 31 Geo. 2. c. 40. s. 1.

Selling or exposing, within the weekly bills, any straw, not made up in bundles, &c. *shall upon, &c. forfeit 20s. half, &c. &c. Idem. s. 15.* See HAY.

STREETS. See OBSTRUCTIONS.

SUBORNATION. See ACTIONS.

SUBJACNA. If any person, upon whom any process out of any of the Courts of Record shall be served, to testify concerning any cause, &c. and having tendered to him, according to his calling, reasonable sums for his charges, &c. does not appear, without a reasonable impediment, *he shall forfeit 10l. to the party grieved, and other recompence, as the court shall think proper, to be recovered by action of debt, &c.* 5 Eliz. c. 9. s. 12.

SUNDAY-TOLLS. See WESTMINSTER,

SUPREMACY. See ALLEGIANCE.

SWANS. See EGGS.

SWEARING. Labourers, common soldiers, or common seamen, swearing, *shall, for the first offence, in the presence of a Justice, or on oath of one witness, forfeit 1s. to the poor, or give security for same, and in default, to be immediately committed to hard labour for 10 days, with charges, &c. or be committed for 6 days more.* 19 Geo. 2. c. 21. s. 1, 2, 6, 10.

Common soldier or seaman, not paying or securing the penalty and costs, *shall be set publickly in the stocks, for one hour, for every single offence.* Idem. s. 1, 5.

Every other person, under the degree of a gentleman, *shall forfeit 2s. (as last)* Idem. s. 1, 2, 6, 10.

Every other person, of or above the degree of a gentleman, *shall forfeit 5s. &c. Idem. s. 1, 2, 6, 10.* N. B. In all the above cases, for the second offence, after conviction, *double;* and for every other offence, after a second, *treble.*

Any Justice wilfully omitting the performance of his duty, relative to this Act, *shall forfeit 5l. half to the informer, and half to the poor, &c. to be recovered in the Courts at Westminster.* Idem. s. 6.

If any constable, tithing-man, or other peace officer, *shall wilfully omit, &c. he shall, upon oath before a Justice, forfeit*

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40s. half, &c. to be levied by distress, and in default, commit. to hard labour for 1 month. *Idem.* f. 7, 12. N. B. Offences must be proved within 8 days. *Idem.* f. 13.

Parsons, &c. to read this act quarterly in all parish churches, &c. under pain of 5l. to be levied by distress. *Idem.* f. 14.

SWEETS. Makers of sweets, or made wines, not giving notice to the next Excise-office of their names and abode, shall forfeit 20l. Vide Excise Laws. 10 Geo. 2. c. 17. f. 4.

Any makers of sweets concealing same, shall forfeit for every barrel, 40s. and for mead or methuggin, &c. 5s. Vide *Idem.* 7 & 8 W. 3. c. 30. f. 16.

Any maker or retailer thereof, on demand made by the gauger in the day-time, or in the night, in the presence of a constable, refusing to permit him to come into his brew-house, to take an account, &c. shall forfeit 15l. Vide *Idem.* *Idem.* f. 17.

Any person retailing sweets, shall forfeit 100l. Vide *Idem.* 31 Geo. 2. c. 31. f. 7. See WINE.

SWINE. Churchwardens, constables, &c. in the day time, may, by warrant, search for and seize swine, kept for feeding or breeding, within any part of the bills of mortality, so far as the contiguous buildings of them, or any of them shall extend, or within 50 yards thereof, and may sell the same, for the use of the poor. 2 W. & M. sess. 2. c. 8. f. 20. & 8 & 9 W. 3. c. 37. f. 4.

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TAILORS. Journeymen tailors entering into agreements, &c. for advancing their wages, or lessening their usual hours of work, within the bills, &c. shall, on oath of one witness, before two Justices, be committed to the house of correction, to hard labour, or common gaol, without bail, &c. not exceeding 2 months. 7 Geo. 1. stat. 1. c. 13. f. 1.

Master tailors refusing to pay the appointed wages, shall (by two Justices) be ordered to pay same, or be levied by distress, and in default, commit. sans, &c. till paid. *Idem.* f. 2, 3, 4.

Journeymen, departing before the end of their term, or their work finished, or refusing to enter into work, shall (by

two Justices) be committed to hard labour, not exceeding 2 months. *Idem.* f. 7.

Master tailors allowing greater wages than, &c. and journeymen receiving same, directly or indirectly, shall, upon complaint, on oath before two Justices, within 3 months, be committed to hard labour, or to the common gaol, not exceeding 2 months, nor less than 14 days. N. B. The Justices are empowered to make regulations for hours and price, &c. at their Quarter Sessions, within London and Westminster, and 5 miles thereof, and shall give notice by advertising such orders, &c. three times, in any two daily newspapers published in London and Westminster. 8 Geo. 3. c. 17. f. 2, 4.

Masters inhabiting within the said limits, and employing men out of, or beyond the said limits, with intent to evade this Act, &c. or paying greater wages than, &c. shall forfeit 500*l.* half to the informer, half to the King and half to him who will sue for the same, in the Courts of Record at Westminster. N. B. Nothing in this to extend to foremen, or working over hours (not exceeding 6*d.* per hour, in times of general mourning, nor 3*d.* per hour, at any other time). *Idem.* f. 6, 7.

TAX. See LAND-TAX.

TEA. No person shall receive a permit for removing coffee, tea, or cocoa-nuts, without the direction in writing of the person (or his servant) from whose stock the goods are to be removed, on pain of 50*l.* and in default of payment, imprisonment for 3 months, sans bail, &c. Vide Excise Laws. 11 Geo. 1. c. 30. f. 10.

All sellers and dealers in any of the above goods, shall keep an account of their daily consumption, and in default, they shall forfeit 100*l.* Vide *Idem.* 10 Geo. 1. c. 10. f. 35.

No coffee, tea, nor cocoa-nuts, shall be offered to sale, but in places entered or to be approved of by the Commissioners, on pain of forfeiting the same, and treble value, with the canisters, package, &c. Vide *Idem.* 10 Geo. 1. c. 10. f. 14.

If any druggist, grocer, chandler, coffee-house keeper, chocolate-house keeper, or other person selling or dealing in coffee, tea, and cocoa-nuts, or making or selling chocolate, shall not, before he take any of the said goods into his possession, make entry in writing of all store-houses, &c. intended to be used by him, at the office, &c. he shall forfeit exclusive of the same, with vessels, package, &c. 200*l.* Vide *Idem.* *Idem.* f. 10.

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No coffee, tea, cocoa-nuts, or chocolate, shall be brought into any shop or other place, without notice and certificate thereof first given to the officer, &c. expressing the quantity and quality, and where the duties were paid, &c. *on pain of forfeiting the same, and treble value, with the canisters, bags, and other packages. vide Idem. Idem. f. 11.*

Officers shall be permitted at all times by day, to enter all warehouses, shops, &c. to take accounts, in the weighing of which the owner shall be assisting, and keep just weights and scales, *on pain of 100l. vide Idem. Idem. f. 12. & 10 Geo. 3. c. 44. f. 1.*

Obstructing any officer, by day (or night, in presence of a constable), to enter any suspected place, &c. *shall forfeit 100l. vide Idem. 10 Geo. 1. c. 10. f. 13.*

And if any person shall obstruct the officer in seizing any of the said goods, &c. or after seizure shall endeavour to rescue the same, or break, or damage the package, &c. *shall forfeit 50l. vide Idem. Idem. f. 40.*

If any seller or dealer, shall conceal any suspected goods, *he shall forfeit the same, together with the package, &c. and treble the value. vide Idem. Idem. f. 39.*

If any person summoned to appear with his books, and to be examined on oath touching the truth of his entries, shall neglect the same, *he shall forfeit 20l. vide Idem. 11 Geo. 1. c. 30. f. 12.*

If any dealer in tea, &c. shall adulterate or mix it with, &c. *exclusive of the same, he shall forfeit 100l. vide Idem. Idem. f. 5.*

If any ditto, shall ditto, or shall offer to sale, or have in possession any leaves in imitation of tea, or any stained leaves of tea mixed with any ingredients, *shall forfeit for every pound mixed, and for every pound of leaves 10l. vide Idem. 4 Geo. 2. c. 14. f. 11. See COFFEE, COCOA-NUTS, OFFICERS, SPIRITUOUS LIQUORS, and VESSELS.*

TENANTS. See LANDLORD.

THAMES. See ASHES.

THIEF. See BURGLAR.

THORNS. See HOLLIES.

TILTS. See BREWER.

TITHES. Not paying small tythes, (*i. e.* not above 4cs. a year) or offerings, &c. within 20 days after demand, complaint may be made within 2 years, to two disinterested Justices, who may summon the aggressors, *and give allowance with costs,*

not

not exceeding 10s. and on refusal to pay same in 10 days after notice, the constables may distrain, and after 3 days sell same. 7 & 8 W. 3. c. 6. f. 1, 2, 3, 4.---Not to extend to London, &c. where tythes are otherwise settled by Act of Parliament.

If any of the inhabitants in any of the respective parishes of, &c. (*vide the Act*) shall refuse, or neglect to pay to the incumbents any sums appointed, &c. (being lawfully demanded at the house, wharf, key, crane, cellar, or other premises whereout the same is payable) and oath being made of such refusal by the persons collecting, before the Lord Mayor of London, he shall order payment of the same, in default, to be levied by distress. 22 & 23 Car. 2. c. 15. f. 11.

In case the Lord Mayor or Court of Aldermen neglect any of the respective powers, (relative to tythes) then the Lord Chancellor, or Lord Keeper of the Great Seal of England, or any two of the Barons of Exchequer, may execute same; and no Court, or Judge, ecclesiastical or temporal, shall hold plea in these matters except the above. *Idem.* f. 12, 14. See QUAKERS.

TIN. No person shall buy, or otherwise take by exchange, any manner of wares made out of this realm, of tin, or mixed with tin or pewter, upon pain of forfeiting same, and the value thereof, half to the King, and half to the finder, to be recovered in the Courts of Record. 25. Hen. 8. c. 9. f. 1.

TOBACCO. No person shall set, plant, or sow any tobacco, within the kingdom of England, dominion of Wales, &c. on pain of forfeiting for every rood of ground so planted, &c. 10l. and so proportionably; one-third to the King, one-third to the poor, &c. and one-third to him that shall sue in the Courts of Record. 12 Car. 2. c. 34. f. 1. & 15 Car. 2. c. 7. f. 18.

If any one shall cut, &c. for sale, or procure, &c. any leaves, herbs, plants, or other materials, (not being tobacco leaves or plants), or shall colour, or cure any such, to make the same resemble tobacco, or shall sell the same, mixed or unmixed, for ditto, he shall forfeit 5s. for every pound, and so proportionably, half to the King, and half with full costs, to him who shall sue in the Courts of Record. 1 Geo. 1. stat. 2. c. 46. f. 1.

Every servant or labourer employed in the manufacturing such leaves or materials, shall upon oath of one witness, before two Justices, be committed to the common gaol, or house of correction, to hard labour, sans bail, &c. not exceeding 6 months. *Idem.* f. 5. See DRAWBACK.

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TOBACCO-PIPE-CLAY. See CLAY.

TOLLS. Every toll gatherer or his deputy, &c. during the time of every fair, &c. shall take the due and lawful toll, between 10 in the morning, and sun set of the same day, and shall then write, or cause, &c. in a book, the names, surnames, and dwelling-places, of all the parties to any bargain, &c. and the colour, with one special mark at the least, of every horse or mare, &c. *on pain of forfeiting upon conviction at the Sessions, &c. 40s. half to the King, and half to him that shall sue for the same, in the Courts of Record.* 2 & 3 P. & M. c. 7. s. 2, 6, 7.

Every toll gatherer shall within one day next after every fair, deliver his said book to the chief keeper of the market, who shall then cause a note subscribed with his name, to be made of the number of horses sold at said fair, *upon pain upon conviction at the Sessions, or, &c. (exclusive of answering to the party grieved) of forfeiting 40s. half, &c. (as last).* Idem. s. 3, 6, 7. See ASSAULTING, TURNPIKE ROADS, and WESTMINSTER.

TOOLS. Loading or putting on board any vessel, not bound directly to some of the British dominions, any tools, &c. for the woollen, silk, cotton, or linen manufactures, *shall forfeit 200l. half to the King, and half to the prosecutor, to be recovered by action in the Courts of Record.* 23 Geo. 2. c. 13. s. 3. & 14 Geo. 3. c. 71. s. 1.

Any master or captain, knowingly permitting the same to be put on board his ship, &c. *shall, for tools of the woollen and silk manufactories forfeit 100l. half, &c. &c. and for tools of cotton or linen 200l. half, &c.* 23 Geo. 2. c. 13. s. 5. & 14 Geo. 3. c. 71. s. 2.---In both these cases, if the ship belongs to his Majesty, the captain shall lose his commission.

Any officer of the customs signing any sufferance, &c. &c. for exporting same, or shall knowingly permit same to be done, (exclusive of his office, and being rendered incapable of holding any office under the King), *shall forfeit the same, &c. &c. Idem. s. 6. & Idem. s. 4.* See WOOLLEN.

OWN-CLERK. See ESTREATS.

RADE. See APPRENTICE.

TRANSPORTS. Convicts ordered for transportation appearing at large within Great Britain, before the expiration of the time, &c. is felony *sans clergy.* 16 Geo. 2. c. 15. s. 1. and the apprehender is intitled to a reward of 20l. and a certificate. 8 Geo. 3. c. 15. s. 1.

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Where any transport shall have served his term, *such service shall have the effect of a pardon.* 4 Geo. 1. c. 11. f. 2.

Persons usually transported may be kept to hard labour in cleansing the river Thames, or to hard labour within the county where tried. 16 Geo. 3. c. 43. f. 1, 10.

Persons convicted of felony, sans clergy, who shall obtain pardon, on condition of being committed to hard labour, may receive such conditional pardon from the Judges. *Idem.* f. 2.

Justices for every county, &c. to prepare houses of correction for the reception of such offenders, and to give directions for their government, &c. *Idem.* f. 13.

Persons rescuing or aiding therein, offenders ordered to hard labour, *shall be liable, as for breach of prison, in cases of felony.* *Idem.* f. 14.

Any person not having the actual custody of any such offender, aiding and assisting in making an escape, or supplying with arms, &c. though no escape made, *shall forfeit 20l. to the informer, to be recovered by bill, plaint, action of debt, &c.* *Idem.*

No person shall supply them with any food, except what is allowed, *on pain of 40s. to the informer, on oath of one witness before two Justices.* *Idem.* f. 7.

Overseers having the custody of offenders, have the same power, and are subject to the same penalties as gaolers. *Idem.* f. 5.

Overseers to make returns from time to time of the persons in custody upon oath. *Idem.* f. 20.

TREASON. The wife shall lose her dower, where the husband is attainted of high treason. 5 & 6 Edw. 6. c. 11. f. 13. See **FORFEITURES, and MURDERERS.**

TREES. If any person shall unlawfully cut, take, destroy, break down, bark, pluck up, burn, deface, spoil, or carry away any tree, growing in any waste, wood, or pasture, in which any person, or body politic or corporate, has right of common, *he shall on oath of one witness, before two Justices, be committed to the house of correction, for 3 months, and be whipped by the master once a month; and where there is no house of correction, to the prison for 4 months, to be publicly whipped by the common hangman once every month.* 29 Geo. 2. c. 36. f. 8. & 1 Geo. 1. f. 2. c. 48. f. 2.

If any person shall wilfully damage, or carry away without the owners consent, or in any of his Majesty's forests

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&c. without consent of the surveyor, &c. any timber-tree, or tree likely to become timber, or any part thereof; for the first offence, *he shall upon, &c. (as last) forfeit not exceeding 20l. with the charges, &c. and in default, be committed to the common gaol, sans bail, &c. not exceeding 12 months, nor less than 6, or until, &c. for the second offence, not exceeding 30l. &c. and in default, be commit. not exceeding 18, nor less than 12 months; and for a third, to be sent to hard labour on the Thames.* 6 Geo. 3. c. 48. f. 1.

If any person armed, &c. shall cut down or otherwise destroy, any trees planted in any avenue, or growing in any garden, orchard, &c. for ornament, shelter, or profit, *it is felony, sans clergy.* 9 Geo. 1. c. 22. f. 1. See ACT BLACK, BARKING, HIGHWAY, PLANTS, ROOTS, and WOODS.

TRIALS. See COMMITMENTS, INDICTMENTS.

TURNCOCKS. Turncocks neglecting their duty, or any person wilfully destroying the name, &c. of the turncock, *shall, upon oath of one witness, before a Justice, forfeit not exceeding 10s. to the informer, to be levied by distress, and in default, commit. to common gaol or house of correction, to hard labour, not exceeding 3 months.* 14 Geo. 3. c. 90. See CHURCHWARDENS, CONSTABLE, and WATCH.

TURNIPS. See CABBAGES.

TURNPIKE ROADS. For application, &c. of penalties, see HIGHWAY.

Twenty shillings shall be paid for every hundred weight, over and above the weight allowed at the weighing engines, in any cart, waggon, or carriage, conveying any goods or merchandize whatsoever, *to be recovered upon oath of one witness, before a Justice, to be applied to the repair of the turnpike roads*—This is not to extend to any such employed only in husbandry, or carrying only manure for land, hay, straw, fodder, or corn unthreshed. See HIGHWAY. 13 Geo. 3. c. 84. f. 1, 6.

Toll-gate keepers suffering any carriages to pass through ditto, with greater weights than are allowed, or without weighing same, and receiving such additional tolls, &c. *shall forfeit 5l. vide Idem. Idem. f. 2.*

Gate-keepers permitting a greater number of horses, or carriage constructed otherwise than allowed by the act, or without proper inscriptions painted thereon, and not prosecuting within the space of one week, *shall forfeit 40s. vide Idem. Idem. f. 57.*

Driver of any carriage, who being requested so to do, shall refuse to return therewith to the weighing engine, *he shall forfeit 40s. vide Idem. Idem. f. 4.*

Unloading, or causing to be unloaded, any goods, wares, &c. from any cart, waggon, &c. (excepting such as are employed in husbandry, &c.) at or before the same shall come to any turnpike-gate, or weighing engine, or carrying great quantities through the same, to avoid the payment of the aforefaid duty of 20s. per hundred, *shall forfeit 5l. vide Idem. Idem. f. 10.*

The driver of such cart, &c. (not being the owner) *shall upon oath of one witness, before a Justice, be committed to the house of correction for 1 month. Idem, f. 10.*

The driver of any cart, &c. (if the owner) travelling on any turnpike road, where any toll-gate or weighing engine is erected, turning out of the same into any other road, in order to avoid, &c. and afterwards proceeding therewith upon said road, *shall forfeit not exceeding 5l. nor less than 20s. See HIGHWAY. Idem. f. 11.*

Driver of ditto, (if not the owner) *shall forfeit not exceeding 50s. nor less than 10s. vide Idem. Idem.*

Owners of waggons, &c. for every horse above the limited number, *shall forfeit 5l. to him who shall sue by action in the Courts of Record. Idem. f. 13.*

The driver thereof, not being the owner, *shall forfeit 20s. &c. &c. and if this offence is complained of, upon oath before a Magistrate, then the driver shall forfeit not exceeding 5l. nor less than 10s. to the informer. Idem. f. 21.*

If any person shall take off, or cause, &c. any horse, &c. from any waggon, &c. or cause the distance of the wheels thereof to be altered, at or before coming to any gate, &c. with intent to avoid, &c. *shall forfeit 5l. See HIGHWAY. Idem. f. 17.*

The information must be laid within 3 days after offence committed, and if the offender lives so remote as to make it inconvenient to summon the offender before the Magistrate, he may dismiss the complaint, and leave the informer to his action, &c. *Idem. f. 15.*

Persons fraudulently taking the benefit of any exemption, *shall forfeit not exceeding 5l. nor less than 40s. See HIGHWAY. Idem. f. 28.*

If the farmer, or renter of the tolls, takes a greater or less toll than is allowed, (exclusive of forfeiting his contract) *shall pay 5l. vide Idem. Idem. f. 31.*

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Any other gate-keeper, &c. &c. *shall pay 40s. vide Idem. Idem. f. 31.*

Surveyors misbehaving in their employment, besides being incapable, &c. *shall forfeit 10l. vide Idem. Idem. f. 36.*

Surveyors suffering earth, rubbish, or stones, to lye 4 days within 10 feet of the centre of the road, *shall forfeit 40s. vide Idem. Idem. f. 37.*

Persons making incroachments within 30 feet of the centre of the road, or ploughing within 15 feet thereof, *shall upon oath of one witness, before a Justice, forfeit 40s. to the informer. Idem. f. 38.* N. B. The trustees may cause the same to be removed at the expence of the offender.

Maliciously destroying turnpike-gates, houses, weighing engines, &c. *is felony. Idem. f. 42.*

Owners of every common stage waggon, or cart, employed in travelling stages, from town to town, shall over and above their Christian names and surnames, &c. have the words COMMON STAGE WAGGON, &c. painted thereon, *on pain of forfeiting not exceeding 5l. nor less than 20s. See HIGHWAY. Idem. f. 68.*

Every surveyor, toll-gatherer, or other person employed, with salaries, who shall wilfully neglect for one week after offence committed, to lay information, &c. before a Magistrate, &c. *shall forfeit 10l. vide Idem. Idem. f. 73.*

Constables, headboroughs, &c. neglecting to execute any warrant granted by any Justice, in pursuance of this act, *shall upon oath of one witness, before a Justice, forfeit not exceeding 10l. nor less than 40s. immediately, to the surveyor, for repair of the roads; and in default, commit. to the common gaol, or house of correction, not exceeding 3 months, unless sooner paid. Idem. f. 75. See CONSTABLE.*

Resisting any person employed in the due execution of this act, or any other, made for amending any particular highway, *shall upon, &c. (as last). Idem.*

Hindering or attempting to prevent any collector of the tolls, in the measuring the wheels of any carriage, *shall upon, &c. &c. (as last) Idem. See ASSAULT.*

Or making any rescue of cattle, or other goods distrained, by virtue of this act, *shall upon, &c. &c. (as last). Idem.*

In all turnpike matters two oxen are considered as one horse. *Idem. f. 67.*

Lessees of tolls may be released from their contracts, at the end of the current year, 16 Geo. 3. c. 44. f. 2.

TURPENTINE. Distilling above ten gallons of turpentine, within the limits of London and Westminster, at one time, in any place nearer to any other building than 50 feet at the least, shall forfeit 100*l.* half to the poor, and half to the prosecutor, with treble costs of suit, by action in the Courts of Record. 12 Geo. 3. c. 73. s. 23.---This not to include shipwrights, &c. s. 24. 14 Geo. 3. c. 78. s. 72, 73.

V.

VAGABONDS. If on the examination of any persons committed to the house of correction, there to remain until the next General or Quarter Sessions, no place can be found, to which they may be sent by a pass, the same may be employed in the house of correction 'till they can provide for themselves, or until the Justices at their General or Quarter Sessions, can place them out as servants, apprentices, soldiers, mariners, or otherwise. 17 Geo. 2. c. 5. s. 28.

Persons sheltering, or not giving information to a proper officer to apprehend the same, he shall forfeit, not exceeding 40*l.* nor less than 10*s.* on oath of one witness, before a Justice, half to the informer, and half to the poor, to be levied by distress, and if any charge be by reason of such offence brought upon any parish, the offender shall answer the same to the said parish, to be levied by distress, and in default of distress, commit. to the house of correction, not exceeding 1 month. *Idem.* s. 23.

When any vagrant is apprehended, the Justice is to examine upon oath of the person brought before him, or any other person, of the condition and circumstances of the person so apprehended, and of the parish and place where he was last legally settled; the substance of which must be put into writing, and be signed by the person or persons so examined, and the Justice shall sign the same, and transmit it to the next General or Quarter Sessions, there to be filed and kept on record; and such Justice shall order him to be publicly whipped by the constable, &c. or commit him to the house of correction till the next Sessions, or for any less time, and after such whipping or confinement, to pass him to his last settlement, and if it cannot be found, to the place of his birth, and if under 14 years of age, to the place of abode of his father or mother. *Idem.* s. 7.

See CONSTABLE, DISORDERLY, FELONS, IDLE, and ROGUES.

VAGRANTS. See APPRENTICE, COMMITMENTS, and VAGABONDS.

VELLUM. See DUTIES, EXCISE, and STAMPS.

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VELVETS. Importing velvets, and silks, foreign wrought, (and not from the East Indies) the importer, for each piece or remnant, besides forfeiting the same, *shall forfeit 100l. half to the King, and half to the officer informing, to be recovered with full costs of suit, in the Courts of Record, &c.* And if any person shall sell, or expose to sale, truck, work up, &c. besides forfeiting, &c. &c. (*as last*). 6 Geo. 3. c. 28. s. 1, 2, 5. & 11 Geo. 3. c. 49. s. 1.—The officer neglecting for 1 month after condemnation to sue, &c. any other person may. See **BUTTONS, WOOLLEN.**

VENISON. See **DEER.**

VESSELS. If the master or purser, or other person having the charge of the vessel, shall suffer any brandy (or other uncus-tomed goods) to be put out of the ship into any hoy, lighter, boat, or bottom, to be laid on land, or shall suffer any wool, &c. fuller's earth, &c. or tobacco-pipe clay, to be put on board, *besides the other penalties, shall suffer 6 months imprisonment.* 6 Geo. 1. c. 21. s. 32.

All seizures of vessels, or boats, of the burthen of 15 tons, or under, for carrying or conveying uncustomed or prohibited goods, from ships inwards, or for relanding debenture goods outwards; and all seizures of horses, or other cattle, or carriages whatsoever, for being used in removing, &c. may (after summons or publick notice given, *vide* 6 Geo. 1. c. 21. s. 20.) be determined by two Justices. 8 Geo. 1. c. 18. s. 16, 17.

Where any vessel coming from foreign parts, and having on board 6lb. of tea, or any foreign brandy, arrack, rum, strong waters, or other spirits whatsoever, in casks under 60 gallons, (excepting only for the use of the seamen, not exceeding 2 gallons for each man) shall be found at anchor, or hovering within 2 leagues of the shore, or be within the limits of any port, and not proceeding on her voyage, wind and weather permitting, *all such spirits, with the casks and other package, or the value thereof,* (whether bulk shall have been broken or not) *shall be forfeited, and the same may be seized, or the value thereof sued for by the officers of the customs or excise, by action in the Courts of Record, half to the King, and half to the informer.* 9 Geo. 2. c. 35. s. 22, 25. See

APPRENTICES, BRANDY, KEY, and MARINERS.

VESTRYMAN. See **CHURCHWARDEN.**

VICTUALLERS. See **ALE and BREWERS.**

VINEGAR.

VELVETS.

VINEGAR. If any vinegar-maker shall, without giving notice, &c. use any storehouse, warehouse, cellar, or other place, for making or keeping any vinegar, or liquors preparing for vinegar, *shall forfeit 50l.* Vide Excise Laws. 10 & 11 W. 3. c. 21. f. 14.

Any ditto concealing any ditto, or liquor, &c. *shall forfeit for every barrel, 40s.* Vide Idem. 7 & 8 W. 3. c. 30. f. 16.

Any maker or retailer of ditto, on demand made by the gauger, in the day-time, or in the night, in the presence of a constable, refusing to permit him to come into his brew-house, &c. and to take an account, &c. *shall forfeit 15l.* Vide Idem. Idem. f. 17.

If any vinegar-maker shall receive into his custody any liquor for making the same, or deliver out any vinegar in casks, or by the gallon, without first giving notice, &c. unless from Sept. 29, to March 25, between seven in the morning and five in the evening, and from March 25, to Sept. 29, between five in the morning and seven in the evening, *shall forfeit 50l.* Vide Excise Laws. 10 & 11 W. 3. c. 21. f. 12.

If any ditto shall receive such liquor into his custody, without shewing the same to the gauger, before he mix them with any other materials, *he shall forfeit 20l.* Vide Idem. Idem. f. 13. See BREWER, DISTILLER and INFORMATION.

U.

UNDER-SHERIFF. See CLERK.

UNDERWOOD. See COPPICE and WOOD.

UNDERWRITER. See SHIP.

UNSHIP. See CUSTOMS.

USURY. Any person taking above 5l. for the forbearance of 100l. for a year, and so after that rate for a greater or lesser sum, or for a longer or a shorter term, *shall forfeit, for every such offence, treble the value of the money, or other things lent, half to the King, and half to him who shall sue, within 6 months, after the offence committed, to be recovered by action in the Courts of Record.* 12 Ann. stat. 2. c. 16. f. 1.

And any scrivener, broker, solicitor, or driver of bargains for contracts, who shall receive, directly or indirectly any sum, or other reward, &c. over and above the rate of 5s. for the loan of 100l. a year, and so rateably, or above

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1s. over and above the stamp duties, for making of the bond, *shall forfeit, for every such offence, 20l. with costs of suit, and imprisonment for half a year, half, &c. &c. (as last).*
Idem. f. 2.

W.

WAGES. Agreeing to pay, or stopping, &c. any part of any journeyman's, &c. wages, in spirituous liquors, or strong waters, shall be deemed retailing, and such journeymen, labourers, &c. shall be intitled to their whole wages, notwithstanding such agreement, stoppage, &c. and shall have the same remedy as if not paid, and the offender *shall, for every offence, forfeit 20l.* Vide Excise Laws. 9 Geo. 2. c. 23. f. 11.

Personating any officer, seaman, or other person intitled, or supposed to be intitled to any wages, &c. &c. for service done on board of any of his Majesty's ships, &c. his administrators, executors, &c. &c. or shall forge or counterfeit, or procure to be forged or counterfeited, any letter of attorney, &c. in order to receive such wages, &c. or shall knowingly take, or cause to be taken, a false oath, to obtain the probate of a will or letters of administration, in order, &c. *is felony, sans clergy.* 31 Geo. 2. c. 10. f. 24. See CLOTHIER and WEAVERS.

WAINS. See CARRIAGES.

WAGGON. See CARRIAGES, CARRIERS, CARTS, COACHMEN, HIGHWAY, TURNPIKE ROADS and WESTMINSTER.

WALLS. See PARTY-WALLS.

WARD. If any person shall carry away a ward, if the ravisher hath no right in the marriage, though after he restore the child unmarried, or else pay for the marriage, *he shall be imprisoned for 2 years.* 13 Edw. 1. c. 35. f. 1.

And if he do not restore, or do marry the child after the years of consent, and be not able to satisfy for the marriage, *he shall abjure the realm, or have perpetual imprisonment.*
Idem.

WARRANT. If the goods be not in the house, yet the officer is excused that breaks open the door to search, because he searched by warrant, and could not know whether the same were there till search made, but in such case the party
 that

that made the suggestion is punishable by action, &c. *Com. Law.* See ARREST, ESCAPE, SHOEMAKER, SHERIFF.

WARRENS. Any person wilfully and wrongfully in the night-time, entering into any warren or grounds, lawfully used and kept for the breeding of conies, and taking and killing the same, *shall be sent to the Thames, to hard labour, &c. or be whipped, fined or imprisoned.* N. B. This does not extend to the destroying conies in the day-time, on the sea and river banks, in the county of Lincoln. 5 Geo. 3. c. 14. s. 6, 8.

Killing or taking, in the night-time, any conies, upon the borders of any warrens, or other lawful breeding grounds, *shall make recompence, at the discretion of the Justices, to the party injured, and shall forfeit, not exceeding 10s. to the poor, &c. and in default, commit. not exceeding 1 month.* 22 & 23 Car. 2. c. 25. s. 5.

If any person, being armed and disguised, shall appear in any place, where hares or conies be usually kept, *is felony, sans clergy.* See BLACK ACT. 9 Geo. 1. c. 22. s. 1.

Or shall rob any such warren, *is the same.* *Idem.*

WASH. See BREWER, DISTILLER and OFFICER OF EXCISE.

WATCHES. See CLOCKS.

WATCH. Any person wilfully damaging, &c. any watch-box, within the city and liberty of Westminster, *shall, on oath of one witness, before a Justice, over and above the charge of replacing, &c. forfeit, not exceeding 20s. to the collector of the rate, to be levied by distress, and in default, commit. to hard labour, not exceeding 3 months.* 14 Geo. 3. c. 90. s. 3, 22.

Any watchman misbehaving or neglecting his duty, shall upon complaint thereof to the directors, trustees, &c. *forfeit, at their discretion, not exceeding 10s. out of his wages, to the collector of the rates.* *Idem.* s. 18.

Any person assaulting a watchman or patrol, *shall, on oath of one witness, before a Justice, forfeit, not exceeding 5s. to the collector of the rates, to be levied by distress, and in default, commit. to hard labour, not exceeding 3 months.* *Idem.* s. 11.

Viaguallers, or public-houses, harbouring watchmen, *shall, upon, &c. forfeit, for the first offence, 20s. for the second, 40s. and for every other, 5s. and constables making default of watching, not exceeding 20s. nor less than 5s. to the collector of the rates.* *Idem.* s. 19.

Each watchman for the city and liberty of Westminster shall have a lanthorn, numbered in such a manner, as the

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the light within, may render it most distinguishable, and shall be at his stand every night before ten o'clock, or, &c. as appointed, until five in the morning, in May, June, July and August; and till six, in Sept. Oct. March and April; and until seven, in Nov. Dec. Jan. and Feb. and every watchman shall be at the watch-house, belonging to each respective parish, &c. at least half an hour before he is to be at his stand, to receive his rattle, arms, &c. and shall return there the next morning, when his time is expired, &c. *Idem.* f. 8.

Every patrol shall, from the first of October to the last of April, appear at, and set out from, the watch-house, &c. at eleven o'clock, to patrol, two together, 'till six in the morning, during Dec. Jan. and Feb. and until five, during Oct. Nov. March and April; and until four, during the other months; and in each and every other of the parishes, &c. each and every of the constables, &c. in rotation, shall watch in the watch-house, &c. *Idem.* f. 8, 12.

Every watchman shall, twice in every hour, during their whole time of watching, go round their watch, &c. and loudly proclaim the time, &c. and shall observe whether houses, &c. are well secured, and they are impowered to apprehend all night-walkers, and other idle, &c. and all suspicious persons, and all persons lying or loitering, &c. *Idem.* f. 14.

They shall not be absent from their particular stands, &c. on any pretence, except on such occasions, as the necessity of the case shall require, nor go into any alehouse, &c. unless called thereto, on a breach of the peace, or for apprehending some malefactor, &c. *Idem.* f. 15.

Persons refusing to pay the sums assessed, *distress may be made, upon warrant of two Justices, &c. in any part of Middlesex or Westminster.* *Idem.* f. 30.

If any collector of watch rates shall refuse, &c. to give a just account thereof, *he shall, upon complaint of the vestrymen, trustees, directors, or governors of the watch, or of the poor, before two Justices, be committed to the common gaol, sans bail, &c. until paid.* *Idem.* f. 43.

The executors, &c. of collectors, refusing, &c. (within 40 days after they shall be required) to deliver up to the trustees, &c. or person authorised by them, all taxes, assessments, books, &c. *they shall, on oath of one witness, before a Justice, forfeit (exclusive of delivering up same) 50l. to the collectors.* *Idem.* f. 28.

WATER. Any person wilfully cutting, or causing to be cut the dam of any waters, or pipe of any conduit, of any other person, *shall forfeit treble damages, to the party grieved, and 10l. to the King, to be recovered by action of trespass.* 37 Ed. c. 6. f. 4.

If any person, between the first of June and the first of October, by hays, tunnels, or other nets, shall drive and take any wild-duck, or any other water fowl, in any marshes, fens, or other places of resort for wild fowl, *he shall, upon oath of one witness, before a Justice, forfeit the net, to be burnt in the presence of the Justice, and forfeit 5s. half to the informer, and half to the poor, &c. to be levied by distress, and in default, commit. to hard labour, not exceeding 1 month, nor less than 14 days.* 10 Geo. 2. c. 32. f. 10. See COW-
LIERIES.

WATERS. See DISTILLER, SPIRITUOUS LIQUORS and VESSEL.

WATERMEN. The watermen between Gravesend and Windford are to be kept and maintained in good order, &c. by eight overseers, &c. 2 & 3 P. & M. c. 16. f. 3.

Such of them as shall, without cause, punish any person &c. shall be corrected and reformed by the Lord Mayor and Aldermen of London, and the Justices of the shires next to the Thames. *Idem.* f. 6.

Every waterman that shall take for his fare above the price that shall be assessed, &c. *shall forfeit, for every offence, 40s. and also suffer imprisonment for 1 half year, half to the King and half to him that shall sue by action in the Courts of Record.* *Idem.* f. 11.

If any person who shall be appointed ruler, assistant, or auditor of the company of, &c. shall, after notice given him, obstinately refuse to take upon him the place to which he shall be so elected, or shall negligently exercise the same, *he shall forfeit, on oath of one witness, and upon complaint, by any two of the rulers, &c. before the Lord Mayor, &c. or a Justice, &c. 5l. to the company's poor, to be levied by distress.* 12 & 13 W. 3. c. 21. f. 5, 7. N. B. Prosecution to be within 30 days.

Rulers, &c. may appoint 40 watermen to work on sundays between Vauxhall and Limehouse, for carrying passengers across the river, at one penny each; and the watermen so appointed, are to pay the money received, every Monday morning, to the rulers for, &c. and be only allowed for the

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If any but freemen (excepting, &c. see 4 Geo. 2. c. 24.) shall work any boat, &c. upon the said river for hire or gain, &c. they shall, upon oath of two witnesses, before the Lord Mayor, &c. or a Justice, &c. forfeit 10l. to the rulers, &c. for the poor, to be levied by distress, and in default, commit. sans bail, &c. not exceeding 1 month, nor less than 14 days. 2 Geo. 2. c. 26. f. 4, 9. N. B. Prosecution to be within 1 month.

No apprentice to be taken by watermen under 14 years of age, nor above 20, and such as be taken shall be bound by indentures, and inrolled, &c. to serve upon the river Thames for 7 years, at least, upon pain that every master, acting contrary thereto, shall, upon oath of one witness, before the Lord Mayor, &c. or before a Justice, forfeit 10l. to, &c. (as last) to be levied by distress, and in default, commit. to the next common workhouse, or house of correction, to hard labour, sans bail, &c. not exceeding 1 month, nor less than 14 days. 10 Geo. 2. c. 31. f. 1, 2, 15. N. B. Prosecution to be within 1 month.

And all apprentices bound contrary thereto (exclusive of not obtaining any freedom, &c. by such apprenticeship, or being intitled to any of the privileges, &c. of watermen) shall be liable to pay for every time he shall work, &c. any boat, barge, &c. the same, &c. &c. (as last). Idem. f. 3, 15.

No freeman of the said company, nor his widow, shall, at one time, retain more than two apprentices, or shall take the second 'till the first hath served four years, *on pain of forfeiting the same, &c. (as last).* Idem. f. 4, 15.

No waterman, &c. though a freeman, shall take an apprentice, 'till he has a settled habitation to lodge him in, &c. &c. and such waterman shall keep such apprentice to lodge in the same house where he lodges, *on pain of forfeiting the same, &c. &c. (as last).* Idem. f. 5, 15.

If any waterman shall take into his boat or wherry, a greater number of passengers than eight, and two by the way, and on Sunday more than eight, *he shall, upon oath of one witness, before the Lord Mayor, or a Justice, forfeit 5l. and for the second offence, 10l. half to the informer, and half to the poor of the company, to be levied by distress, and in default, commit. to hard labour, sans bail, &c. not exceeding 1 month, nor less than 14 days; and for a third offence, shall be disfranchised.*

chised for 12 months from rowing any boat, &c. and if any are drowned, when such greater number is received, the persons working the same, shall, upon conviction, be deemed guilty of felony, and be sent to hard labour on the Thames. *Idem.* f. 8.

N.B. Prof. to be within 1 month. See COACHMEN and WHERRIES.

WAX. Using, or causing, &c. any deceit in wax, by mixing it with rosin, tallow, turpentine, &c. shall forfeit the same, and if the same be sold, for every pound 2s. half to the party deceived, or any one who will sue, &c. and half to the King, to be recovered by action in the Courts of Record. 23 Eliz. c. 8. f. 1, 5.

Every melter of wax shall have for himself a stamp, with his initials, &c. and therewith shall stamp every piece of wax, &c. on pain of forfeiting the value of every piece, &c. not so marked, half, &c. &c. (as last). N.B. This not to extend to persons selling the wax of their own bees, in open market, in small pieces, nor to a servant, so as he will confess it. *Idem.* f. 2, 3, 5. See CANDLES and HONEY.

WEAVERS. The wages of journeymen weavers are to be settled by the Lord Mayor, &c. in London, and by the Justices at their General Quarter Sessions in Westminster and Middlesex. 13 Geo. 3. c. 68. f. 1.

Master weavers (belonging to the silk manufacture) giving more or less wages than shall be settled, &c. shall, upon oath of one witness, before two Justices, forfeit 50l. to the Master of the Weavers Company, for distressed journeymen, &c. to be levied by distress. *Idem.* f. 2.

Journeymen weavers taking more or less wages, or, &c. entering into combinations, or shall assemble in any number exceeding ten, in order to frame or deliver petitions, except to the Justices, the Lord Mayor, &c. at their respective Quarter Sessions, shall, upon, &c. forfeit, not exceeding 40l. immediately, to, &c. to be levied by distress, and in default, commit. to hard labour, not exceeding 3 months. *Idem.* f. 3.

Master weavers residing within the limits, &c. and directly or indirectly employing any journeyman out of, or beyond the limits, with intent to elude this act, shall forfeit 50l. half to the King, and half to him who shall sue for same by action of debt in the Courts of Record. *Idem.* f. 5. N.B. This does not extend to the wages of foremen.

Master weavers having more than two apprentices at one time, shall on oath of one witness, before two Justices, forfeit for every offence 50l. to the Master of the Weavers Company, &c.

as above; to be levied by distress. *Idem.* f. 7. N. B. The Justices are to discharge all above two.

Liberty of appeal allowed. *Idem.* f. 8. See CLOTHIERS.

WEIGHTS. Every city of the realm of England, shall have a common balance, with common weights sealed, according to the standard of the Exchequer, on penalty (by the Justices, &c.) of 10l. to the King. 8 Hen. 6. c. 5. f. 2.

The like in every borough, &c. on penalty of 100s. to, &c. *Idem.*

The like in every town where a constable is, &c. on penalty of 40s. to, &c. *Idem.*

Weights and measures found defective, to be immediately destroyed, and the party offending, for the first offence, to forfeit 6s. 8d. for the second, 13s. 4d. and for the third, 20s. to the Mayor, &c. 11 Hen. 7. c. 4. f. 1.

Whoever shall sell, buy, or keep any other weight, measure, or yard, than what is according to the standard whereby any thing is bought or sold, shall upon oath of one witness, before a Justice, forfeit for every offence 5s. to be levied by distress, by the churchwardens and overseers for the poor, and in default commit. till paid. 16 Car. 1. c. 19. f. 2.

No person within any city or market town, shall buy, or sell, with any weight or measure, unless it be marked, &c. after the form aforesaid, nor any other person out of ditto, unless it be like and equal with the standard, on pain of being fined and amerced, at the discretion of two Justices. 11 Hen. 7. c. 4. f. 1.

If any person shall sell any grain, ground or unground, or any kind of salt usually sold by the bushel, by any other measure than which is agreeable to such standard, &c. &c. shall for every such offence upon oath of one witness, before a Justice, forfeit 40s. to be levied by distress, and in default be committed till paid. 22 Car. 2. c. 8. f. 2.

If any Mayor, or other head officer of any city, borough, corporation, or liberty, shall knowingly permit any persons within their respective jurisdictions, to sell any ditto, by any other measure, &c. shall upon conviction on indictment, forfeit 5l. half to the informer, and half to the poor, &c. *Idem.* f. 3.

If any Mayor, or Clerk of the market of his Majesty's house within the verge, shall neglect, if required, to mark or seal within their respective jurisdictions, any bushel, &c. shall forfeit for the first offence 5l. and for every other 10l. half, &c. *Idem.* f. 4.

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If any ditto, shall take more than lawful fees for ditto, he shall for the first offence, upon oath before a Justice, forfeit 5*l.* for the second offence 10*l.* and for every other 20*l.* to the poor, to be levied by distress, and in default, commit. sans bail, &c. till paid. 16 Car. 1. c. 19. f. 2, 5.

If any Mayor, or other head officer of any city, &c. upon complaint of the breach of this statute, shall not duly punish and reform the same, according to the purport thereof, he shall upon conviction on indictment, forfeit 5*l.* half to the informer, and half to the poor, to be levied by distress, and in default commit. till paid. 22 Car. 2. c. 8. f. 3.

Weights and measures used in Westminster, (excepting within the site, circuit or precinct, of the church or college of Westminster, and the close of Westminster) not sealed and marked by the proper officer, &c. may be destroyed as unlawful, and the owners amerced by the annoyance jury in a sum not exceeding 40*s.* half to the High Bailiff for his own use, and half to the court of Burgeses, for defraying the expences attending the execution of this act, to be levied by distress, and in default commit. to gaol for 10 days, unless sooner paid. 31 Geo. 2. c. 17. f. 9, 18. & 29 Geo. 2. c. 25. f. 17, 18. See SCALES.

WESTMINSTER PAVING ACT. Within the city, &c. of Westminster, the parishes of St. Giles's in the Fields, St. George the Martyr, St. George Bloomsbury, that part of St. Andrew's Holbourn, which lies in Middlesex, the liberties of the Rolls and Savoy, and that part of the duchy of Lancaster which lies in Middlesex.—If any person appointed by the Commissioners, &c. shall refuse to render accounts in writing upon oath, or to deliver vouchers, or to pay the money in their hands, or to deliver to the said Commissioners, or any five or more of them, all books, &c. upon complaint by them, or by any person they shall appoint for that purpose, before two Justices, they shall cause such money to be levied by distress, and in default, commit. until paid, or shall give satisfaction to the Commissioners, or any five or more of them. 2 Geo. 3. c. 21. f. 6.

Where persons rated shall quit their houses, &c. before they have paid the rates, the Receiver by warrant of two Justices for London, or the city and liberty of Westminster, the same being first backed by some Magistrate for the place where the distress is to be made, may levy the same with all charges by distress and sale. Idem. f. 40.

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Where the rates shall not be paid within 10 days after demand, or in writing left at the place of abode of such person, &c. two Justices may order payment of the same with all costs, &c. to the receiver, to be levied by distress, by the receiver and a constable. 2 Geo. 3. c. 21. s. 36.

If any person shall wilfully break up, &c. any of the pavements, lamps, iron, timber, furniture, &c. vested in the Commissioners, he shall upon oath of one witness, before a Justice, forfeit for the first offence, not exceeding 40s. nor less than 10s. and for every other offence, not exceeding 3l. nor less than 20s. to the Treasurer, &c. to be levied by distress, and in default, commit. not exceeding 2 calendar months, nor less than 10 days. 2 Geo. 3. c. 21. s. 17.

If any person shall throw, &c. or cause, &c. any ashes, &c. before any dwelling house, stable, &c. in any place being a thoroughfare for wheel carriages, and which shall be completed by virtue of this act, he shall upon, &c. for the first offence forfeit 5s. for the second offence 10s. and for the third, and every other offence 20s. to the, &c. &c. Idem. s. 26.

If any person shall set out, drive, &c. or cause, &c. any coach, cart, dray, waggon, or other carriage, wheels, timber, stones, &c. which may occasion any annoyance or obstruction, in any squares, &c. exclusive of any three of the Commissioners having power to remove same at the offenders expence, he shall upon oath, &c. forfeit not exceeding 40s. to the, &c. &c. to be levied by distress. Idem. s. 27.

If any cart, waggon, or other carriage, shall be suffered to remain in any such squares, &c. any longer than is needful and proper for the necessary loading or unloading thereof, &c. he shall, &c. &c. (as last). Idem.

No inclosure for the building or repairing of houses, to be made in any such squares, &c. &c. without the consent of three of the Commissioners, in writing under their hands and seals, first had and obtained, upon pain of forfeiting for every 12 hours such nuisance shall remain, not exceeding 20s. &c. so, &c. &c. (as last). Idem. s. 28. & by 3 Geo. 3. c. 23. s. 14. No such shall be without leave under the hand of the surveyor, upon pain of 20s. to the receiver, &c. on oath of one witness, before two Justices, to be levied by distress.

If any person shall hang, &c. or build any sign, &c. spout, &c. or any other annoyance, or cause the same in any other manner than as directed by three Commissioners at least, he shall

shall forfeit on, &c. (as last) 5l. to the receiver, &c. to be levied by distress. 3 Geo. 3. c. 23. s. 8.

If any one shall wilfully destroy; &c. or deface, &c. any name or description of the street, square, &c. affixed on some conspicuous part, &c. or cause the same to be so defaced, &c. he shall, &c. forfeit 40s. to, &c. &c. (as last). Idem. s. 13.

If any one shall refuse or neglect to permit any receiver or other, appointed by the Commissioners to inspect, &c. the books of poor's rates, in order to ascertain the assessments to be made by virtue of the statutes. 2 Geo. 3. c. 21. & 3 Geo. 3. c. 23. he shall within 3 days after such order shall be produced, or a copy thereof left at his usual place of abode; on oath of one witness, before a Justice, for the first offence forfeit 20s. for the second 40s. and for the third, and every other offence 3l. to the Treasurer, &c. and in default of distress, commit. to the house of correction, not exceeding 2 months. 4 Geo. 3. c. 39. s. 4.

Defective pavements are to be repaired within 14 days after notice, and in default, the Commissioners may order same to be done, and be reimbursed, and persons refusing or neglecting to pay on demand, what charges and expences the Commissioners have been at, any Justice may on oath of one witness, order payment of the same to the receiver, to be levied by distress. 3 Geo. 3. c. 23. s. 16.

The charges of repairing defective pavements are to be paid by the tenant or occupier, and in default within 10 days after demand, by notice given to, or left for him at his place of abode, upon complaint the Justice may issue his warrant to bring the offender before him, and upon oath of one witness, that such charges have incurred, shall cause the same with the charges, to be levied by distress. 4 Geo. 3. c. 39. s. 7. N. B. Such notice is to be signed by the clerk to the Commissioners, by the order of any three of them, and annexed to the bill for repairs. Vide s. 11.

Persons summoned to give evidence touching offences by this act, making default (to wit), when a jury is returned to appear before any five of the Commissioners, shall (by the Commissioners) forfeit not exceeding 10l. to the treasurer, &c. 4 Geo. 3. c. 39. s. 21. & 5 Geo. 3. c. 50. s. 16.

The charges of repairing pavements, belonging to the lands or houses, &c. untenanted, are to be repaired by the Commissioners at the expence of the owners, and if not distressed charges

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charged within 10 days, *the treasurer may sue for it by action, &c. in the Courts of Record.* 4 Geo. 3. c. 39. s. 9.

Neglecting for 24 hours after to give notice to the Commissioners surveyor, of taking up any pavement for altering, &c. any vault or drain, &c. in order that the same may be relaid under his inspection, *he shall upon oath of one witness, before a Justice, forfeit 20s. to the treasurer, to be levied by distress, and in default, commit. not exceeding 2 months.* Idem. s. 11.

Refusing, &c. to reimburse the Commissioners, &c. for replacing the same, *any three of them may order the same to be sued for by action in the Courts of Record, in the name of their treasurer.* Idem.

Obstructing any one employed to put this, and 2 Geo. 3. c. 21. & 3 Geo. 3. c. 23. into execution, *shall for the first offence, on oath of one witness, before a Justice, forfeit 20s. for the second 40s. and for the third, &c. 3l. to the treasurer, &c. to be levied by distress, and in default, commit. not exceeding 2 months.* Idem. s. 14.

Paviour neglecting to open the ground (where any of the water-pipes shall break) within 2 days after notice given by the supervisor, or, &c. *for the first offence, shall upon oath of one witness, before a Justice, forfeit 20s. for the second 40s. and for the third, &c. 3l. to the treasurer, to be levied by distress.* 5 Geo. 3. c. 50. s. 1.

Neglecting to repair the pipes and fill up the ground, within 6 days after such notice given, or to give notice of the reasons why not, &c. or, if the person contracting with the Commissioners to relay such pavements so broken, &c. within 2 days after notice given by the supervisor, or, &c. or, if the supervisor, or other person, &c. to whom such notice shall be given, shall neglect to acquaint the contractor of such notice, &c. the offender, in either case, *shall upon oath of one witness, before a Justice, for the first offence, forfeit 20s. for the second 40s. and for the third 3l. to the treasurer, to be levied by distress.* Idem.

Paviours appointed by the Water Companies, not giving notice within 3 days next after such appointment, to the Commissioners supervisor, of their names, places of abode, and respective districts, in which they act, &c. *shall upon, &c. &c. &c. (as last).* Idem. s. 2.

Sewers are to be repaired and cleansed within 6 days after notice given to, or left for the surveyor of the Commissioners

of sewers, at his place of abode; and in default thereof, the same may be repaired, by the Commissioners under this act; and the expences thereof are to be repaid by their treasurer, who shall be reimbursed the same, by the clerk or treasurer to the Commissioners of sewers; and in case he shall neglect or refuse so to do, within 10 days after notice, (signed by the clerk, and annexed to the bill of charges) left at the dwelling house of such other clerk, &c. any three of the Commissioners may sue for same, *by action, &c. in the Courts of Record, in the name of the treasurer, &c. Idem. s. 3.*

The Commissioners of sewers are to appoint a person to receive notices occasionally sent them from the Commissioners under this act; and in default of such appointment, notices may be left with their clerk; and if the repairs specified in such notices, shall not be made good within 7 days, the Commissioners under, &c. may complete the same, and charge the expence; and in case of non-payment thereof, within 4 days after notice in writing, to be signed by the clerk to the said Commissioners, *any three, &c. (as last). Idem. s. 5.*

The surveyor of the Commissioners of sewers, (where the sewers shall be repaired and cleansed) not giving notice 12 hours after, &c. to the Commissioners paviour, or supervisor, for relaying the pavement, *shall upon oath of one witness, before a Justice, forfeit 40s. to the treasurer, &c. to be levied by distress. Idem. s. 4.*

All obstructions and nuisances in the streets, &c. paved by virtue of this act, are to be removed within 6 hours after notice given to remove the same, by the supervisor, or other person appointed by the Commissioners, &c. *on pain of forfeiting for the first offence 10s. for the second 20s. and for the third, &c. 40s. to the treasurer, to be levied by distress. Idem. s. 12.*

Persons acting as Commissioners in the execution of the act relative to paving, cleansing and lighting the squares, streets, lanes, and other places within Westminster, and parts adjacent, without being qualified, *shall forfeit 500l. to him who will sue by action, &c. in the Courts of Record. 11 Geo. 3. c. 22. s. 5.*

The like as committee men, &c. *shall forfeit 100l. &c. Idem.*

Inhabitants liable to be charged for paving, &c. by the act, are exempted from former laws; and all former acts as direct or vest the power of paving, &c. all the streets &c. subject

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&c. subject to the powers of this act, to be in the Commissioners appointed by former acts, or vests in them the property of stones, &c. are repealed. *Idem.* f. 22.

If any person shall think himself aggrieved by any rate, &c. made in pursuance of this act, he shall first apply for relief to the committee of the parish, &c. wherein, &c. and in case the party so applying, &c. shall not be satisfied with the committee's determination, he shall apply to the Commissioners at their first or second meeting next after such determination, giving to the said committee, or their clerk, 6 days notice of such appeal, and if he shall be dissatisfied therewith, &c. yet nevertheless he shall pay the rate, and may thereafter, and not before, appeal to the Quarter Sessions, &c. within 3 months next after such determination of the said Commissioners, &c. &c. *Idem.* f. 72.

Houses situated beyond any turnpike gate, as the same is now fixed, whereat toll is, shall be exempted from rates. *Idem.* f. 32. See BOGHOUSE, and MIDDLESEX.

WESTMINSTER TOLLS. Any person refusing or neglecting to pay the Sunday tolls, after demand thereof made, *it shall be levied by warrant of distress, of any horse, &c. or on any goods, &c. by five Commissioners, or any person by them empowered.*--- No person shall pay the street toll more than once, for passing, &c. at any time on the same Sunday with the same cattle, &c. 5 Geo. 3. c. 13. f. 1, 4.

Officers belonging thereto refusing to account, &c. on oath, &c. *shall upon oath of one witness, before a Justice, be committed to the common gaol, sans bail, &c. until payment or composition be made.* *Idem.* f. 6.

Forcing, or wilfully passing with any horse, &c. through any turnpike, whereat any toll is by virtue of this act to be paid, without paying the same, &c. *the collector may seize any horse, &c. and take same before a Justice, who shall upon oath of one witness, cause the offender to forfeit 40s. for the purposes directed by the act, (besides all damages and punishments he may be liable to by law), and if no seizure can be made, to be levied by distress. &c. as by the acts of the 2, 3, & 4 Geo. 3. Idem.* f. 7.

Or, shall knowingly assault, or obstruct any person employed in collecting the said tolls, or any otherwise in the execution of his office, *the collector, &c. (as last).* *Idem.*

Or, shall counterfeit, &c. or deliver to, or receive from any other person, any ticket, &c. with an intent to avoid

the payment of any of the said tolls, *the collector, &c. (as last)*, *Idem.*

In the three last cases where the collectors, &c. shall seize any horse, &c. in the possession of the offender, if the Justice shall see cause to convict the party complained of, on non-payment of, &c. the Justice may cause the same to be sold, *Idem.*

WESTMINSTER MARKET. No provisions shall be sold within 100 feet of the bounds of the market, without licence, *on pain of forfeiting, not exceeding 5l. at the discretion of two Justices, half to the informer, and half to the poor, &c. to be levied by distress.* 23 Geo. 2. c. 14. s. 1.

WHARF. See KEY.

WHERRY. The rulers of the company, &c. to appoint two officers to attend at Billingsgate, at high water, and at Gravesend, at the first of flood, who shall ring a bell, to give notice to the tilt-boats and wherries to put off, *on pain of forfeiting 50l. half to the poor, and half to the prosecutor, to be recovered by action in the Courts of Record at Westminster.* 10 Geo. 2. c. 31. s. 12, 13, 15.

And if any wherryman, &c. shall not immediately depart, and effectually proceed on their several and respective voyages, &c. &c. or if any such boats shall not be navigated by two sufficient and able-bodied men, *the owner shall, upon oath of one witness, before a Justice, forfeit 5l. half to the rulers of the company, and half to the informer, to be levied by distress.* *Idem.* s. 12.

WHEAT. Wheat or wheat flour, or grain, or other material mixed therewith, found in any workhouse, stillhouse, storehouse, warehouse, &c. in which low wines, or spirits, or worts, or wash, &c. are made, *shall be forfeited, half to the King, and half to the prosecutor, to be recovered by action in the Courts of Record, Westminster.* 13 Geo. 3. c. 3. s. 17, 23, 24. N. B. Prosecution to be within 6 calendar months.

Persons in whose possession such workhouse, stillhouse, storehouse, warehouse, &c. shall be found, *shall, for every offence, forfeit 100l. half, &c. &c. (as last).* *Idem.* N. B. Prosecution the same.—The fine may be mitigated by the court, to any sum, not less than one-fourth.

Distilling any low wines, or spirits, from wheat, wheat flour, or from any grain, or other material, mixed with wheat, *exclusive of forfeiting the same, shall be fined, 200l. half, &c. (as last).* *Idem.* s. 16. N. B. Prosecution the same.

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WHERRY. See WATERMAN.

WIFE. If a wife willingly leave her husband, and go away and continue with her advouterer, except the husband willingly reconcile her, *she shall be for ever barred of action to demand her dower.* 13 Edw. 1. stat. 1. c. 34. f. 1.

Husband and parents, leaving wife and children, the churchwardens, &c. may, by warrant from two Justices, seize the goods, &c. of such husband or parents, and such warrant may be confirmed at the Quarter Sessions, &c. &c. 5 Geo. 1. c. 8. f. 1.

WILD-FOWL. See WATER-FOWL.

WINDOWS. If any person appointed an assessor, or other officer of the window tax, shall neglect to appear, or wilfully refuse to take the oaths, &c. or to take upon them the office, &c. *he shall (by two Commissioners) forfeit, not exceeding 5l. to the receiver general, &c. to be levied by distresses.* 20 Geo. 2. c. 42. f. 2. & 20 Geo. 2. c. 3. f. 23.

If any person shall wilfully obstruct, &c. any assessor or surveyor, in the execution of his office, *he shall forfeit (by three Commissioners) 5l. to the receiver general, &c. and on non-payment, within 20 days after demand, to be levied by distress, and in default thereof, commit. to common gaol, sans bail, &c. until payment.* 21 Geo. 2. c. 10. f. 14. & 20 Geo. 2. c. 3. f. 11, 23.

WINE. Importing wine in flasks, or vessels, &c. less than 25 gallons, (except the growth of Tuscany, Turkey, and the Levant) *to forfeit same, or the value, half to the King, and half to him who will sue for same in the Courts of Record at Westminster.* 1 Geo. 2. stat. 2. c. 17. f. 7, 8.

Importing any wine or woad from France, except in English shipping, *to forfeit the same to the King, to be prosecuted at the Sessions, &c.* 5 Eliz. c. 5. f. 11, 30.

Every retailer of wine, not causing the word WINE, to be expressed in legible characters, in some visible place, in or near the door in the front of his house, &c. *he shall, upon information, or complaint, on oath of one witness, before two Justices, forfeit 10l. half to the King, and half to the informer.* N. B. The penalty may be mitigated at the discretion of any two of the Commissioners of stamp-duties, the reasonable costs and charges of the officers and informers in the prosecution, being always allowed over and above the mitigation. 10 Ann. c. 19. f. 172. & 32 Geo. 2. c. 19. f. 3.

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Every merchant, vintner, wine-cooper, or other person selling any sort of wines, by wholesale or retail, and adulterating the same, &c. or selling the same, being adulterated, &c. *he shall forfeit 300l. half to the King, and half to him who shall sue in the Courts of Record.* 1 *W. & M. c. 34. f. 20.*

If any person shall sell wine by retail, without licence, *he shall forfeit 100l. vide Excise Laws.* N. B. By the 32 *Geo. 2. c. 19. f. 1.* the penalty may be mitigated by any two of the Commissioners for managing the duties arising by stamps on vellum, &c. as they shall think proper, the reasonable charges of the officers and informers being always allowed, over and above the mitigation. 30 *Geo. 2. c. 19. f. 2, 3.*

Makers of low wines, setting up, using or altering, any washbatch, or other vessel for the making of same, or keeping any private warehouse, cellar, &c. for same, without first giving notice thereof, at the next office of Excise, *shall forfeit, for every such vessel, and for every private warehouse, or other place, 20l. half to the King, and half to him who shall sue, by action in the Courts of Record.* 3 *W. & M. c. 15. f. 1.*

And every other person, in whose occupation any house, outhouse, or other place whatsoever is, where such vessel shall be found, *shall forfeit, &c. the same.* 3 *W. & M. c. 15. f. 1.*

If any maker of low wines shall conceal the same from the sight of the gauger, &c. &c. *he shall forfeit for every gallon so concealed, 5s. vide Excise Laws. Idem. f. 2.* See DISTILLER, SPIRITUOUS LIQUORS, SWEETS and WHEAT.

WITNESSES. If any witness summoned to appear to give evidence before any Justice, relative to any matter touching the retailing any exciseable liquors, on either part, shall neglect or refuse to appear, or appearing, shall refuse to be examined on oath, and give evidence, &c. *he shall forfeit (to one Justice) 20s. half to the King, and half, with costs, to the informer, and on non-payment, within 14 days after conviction, commit. for 1 month, unless sooner paid.* 5 *Geo. 3. c. 46. f. 23, 24.* See ASHES and JURORS.

WIRE. All copper, brass, and every other metal inferior to silver, shall be spun upon thread, yarn, or incle only, and not spun, mixed, wove, wrought, or set upon silk, on pain of forfeiting, for every ounce, 5s. half to the King, and half to him who shall sue, to be recovered by action of debt in the Courts

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of Record. 15 Geo. 2. c. 20. s. 1, 9. N. B. Prosecution within 6 months after offence.

If any maker, or seller of any goods, made or mixed with gold or silver thread, or plate, shall make or sell any goods, mixed with gold or silver thread or plate, contrary to this act, *he shall forfeit the same, &c. &c.* *Idem.* s. 6, 9.

No gold or silver thread, lace, fringe, or any other work made thereof, or such made of copper, brass, or any other inferior metal, or gold or silver wire, or plate, shall be imported into Great-Britain, *upon pain of forfeiting (exclusive of the same, which is to be burnt) 100l. for every parcel imported, &c. &c. (as last).* *Idem.* s. 7, 9.

Ingots or bars of silver, designed for gilt wire, are to be weighed, and after the gold is laid on, to be marked in the presence of an officer of excise; and if any refiner, or maker of such ingots or bars, shall refuse to permit any such officer, &c. to be present either before or after the covering of the same, &c. *he shall forfeit 20l. &c. &c. (as last).* *Idem.* s. 8, 9.

Every person who shall draw any gold or silver into big wire, shall give notice in writing, at the next office, for the said, &c. of his name, abode, and of his workhouses, *upon pain of forfeiting, for every offence, 20l. vide Excise Laws.* 10 Ann. c. 26. s. 49, 64.

No refiner, wire-drawer, or other person, shall draw, or cause to be drawn, any gold or silver into such wire, at any house or place, other than some common bar-house, to be approved by the Commissioners of, &c. *upon pain, &c. (as last).* *vide Idem. Idem.*

Refiners and wire-drawers are to make entries, once in every month, on oath, &c. of the refiner, &c. of all, &c. made or drawn within such month, &c. and how much thereof respectively, was made in each week, *on pain, &c. 100l.* and are to clear off the duties in 6 weeks, *on forfeiture of double duty. vide Idem. Idem.* s. 50, 51, 64.

Officers may enter any bar-house, at all times, by day, (or by night, in the presence of a constable, or, &c.) to take an account of the wire, &c. and shall make return thereof, in writing, to the Commissioners, or, &c. and shall (being demanded) leave a copy of the same with the master, *on pain of 40s. vide Idem. Idem.* s. 52, 64.

All persons chargeable with the duties on wire, not keeping weights and scales, or not permitting and assisting the officers

officers to use the same, *shall forfeit 10l. vide Idem. Idem. f. 54, 64.*

If any such shall obstruct an officer, in the execution of his duty, *he shall forfeit 20l. vide Idem. Idem. f. 55, 64.*

No such person shall remove any wire (of which no account has been taken) from the bar-house, &c. without first giving notice to the proper officer, 24 hours before, *on pain of forfeiting 40l. vide Idem. Idem. f. 56, 64.*

Wire, not surveyed, to be kept separate, &c. for 24 hours, *on pain of forfeiting 10l. vide Idem. Idem. f. 57, 64.*

Fraudulently concealing same, &c. *shall forfeit 20l. vide Idem. Idem. f. 58, 64.*

Wire, &c. found in a private workhouse, *is forfeited. Idem. Idem. f. 59, 64.*

WOAD. See WINE.

WOMAN. If any person above fourteen, shall unlawfully take, or cause, &c. any maid, or woman child, unmarried, being within the age of sixteen, out of the possession, and against the will of her lawful governor, &c. he shall upon indictment at the Assizes, *be imprisoned for 2 years, sans bail, &c. or if he shall pay such fine as shall be assessed by, &c. half to the King, and half to the party grieved. 4 & 5 P. & M. c. 8. f. 3, 5.*

If any such person shall so take away, and delivour, any such, &c. or by secret letters, messages, or otherwise, contract matrimony with, &c. *he shall be imprisoned, sans bail, &c. for 5 years, or pay such fine as shall be assessed by inquisition of Assize, half, &c. (as last). Idem. f. 4, 5.*

If any woman above twelve, and under sixteen years of age, shall consent to such person, her next of kin, shall from the time of that assent, &c. hold or enjoy all such lands, &c. as the same had in possession, reversion, or remainder, at the time of such consent, during the life of such person that shall so contract matrimony. *Idem. f. 6.*

If a woman be convicted, she shall, upon praying the benefit of the statute, &c. suffer the same punishment as a man. *3 & 4 W. & M. c. 9. f. 6.* See ACCESSARY, MARRIAGE, and WARD.

If any woman (wandering and begging) shall be delivered in any parish, and become chargeable, she may be detained, and when able, be conveyed by the churchwardens, &c. to some Justice, who shall examine her, and commit her to the house of correction, until the next General Quarter Sessions, or may (if they see convenient) order her to be publicly whipped.

and detain'd in the house of correction for any further time not exceeding 6 months; and upon application of the churchwardens, &c. where delivered, the Justices at the Sessions, shall order the Treasurer of the county or district, to pay reasonable satisfaction for the charges such place has been put to; and the child of which such woman is so delivered, if a bastard, shall not be settled in the place where so born, nor be sent thither for want of other settlement by a pass by virtue of this act, but the settlement of such woman shall be deemed the settlement of the child. 7 Geo. 2. c. 5. s. 25.

WOODS. Having or conveying any bundles of wood, underwood, &c. or basts, or barks, or any stiles, &c. or broom, or furze, and not giving a satisfactory account of, &c. *for the first offence, exclusive of giving the owner such satisfaction for his damages, and within such time as the Justice shall appoint, he shall upon oath of one witness, before a Justice, forfeit not exceeding 10s. presently to the poor, and in default, commit. to the house of correction, not exceeding 1 month, or to be whipped by the constable, &c. at the discretion of the Justice; for the second offence, commit. for 1 month to hard labour, and for a third, to be deemed incorrigible rogues. 15 Car. 2. c. 2. s. 2, 3, 5.*

If any persons shall buy any burdens of wood unlawfully come by, *he shall upon, &c. (as last) forfeit treble the value; and in default of payment or distress, commit. to common gaol, sans bail, &c. for 1 month. Idem. s. 4.* N. B. Information in both the above cases to be within 6 weeks.

If any person shall go into the woods, underwoods, &c. of any one, not being the owner thereof, and shall there spoil, or carry away any kind of wood, or shall have any kind of wood in his custody, and shall not give a satisfactory account thereof, *he shall upon, &c. (as last) forfeit for the first offence, not exceeding 40s. immediately, half, with the charges, &c. to the informer, and half to the person injured, and in default, commit. to hard labour for 1 month, and to be once whipped; for the second offence 5l. and in default, &c. for 3 months, and to be thrice whipped; and for the third offence, to be punished as incorrigible rogues. 6 Geo. 3. c. 48. s. 4, 6, 8.*

If any one shall hinder, or attempt to prevent the seizing or securing any offender by this act, *he shall upon, &c. (as last) forfeit 10l. immediately, half, &c. (as last) and in default commit. to hard labour, not exceeding 6 calendar months.*

Idem. s. 7.

If any one shall wilfully cut, bark, burn, pluck up, top, top, crop, or otherwise deface, damage, spoil, or destroy, or carry away any poplar, alder, larch, maple, and hornbeam, (which are deemed timber trees) without the consent of the owner, *he shall upon, &c. (as last) forfeit not exceeding 20l. with charges, &c. and in default commit. to the common gaol, sans bail, &c. not exceeding 12, nor less than 6 months, or until, &c. for the second offence not exceeding 30l. and in default, &c. not exceeding 18, nor less than 12 months, or until, &c. and for a third offence, hard labour on the Thames, &c.* 13 Geo. 3. c. 33. s. 1. See COPPICE, and HOLLIES.

WOOLLEN. By day or by night, breaking or entering by force, into any house or shop, with intent to cut or destroy any woollen, velvet, or silk goods, in the loom, &c. or maliciously destroying any tools employed therein, is felony, *jurat* *clergy.* 6 Geo. 3. c. 28. s. 15.

Any person who in consequence of a search warrant, shall be found to have any woollen goods in his possession, and shall not give a satisfactory account to the Magistrate of the same, shall be deemed, &c. as convicted of stealing the same, and for the first offence, shall forfeit treble the value to the owner, and in default of payment in the time appointed by the Justice, to be levied by distress, and in default of distress, commit. sans bail, &c. for 3 months, or until paid; for a second offence treble the value, and imprisonment for 6 months; and for a third, hard labour on the Thames, &c. 15 Geo. 2. c. 27. s. 1, 2.

If any person shall offer to bribe any officer, &c. to connive at, or permit the transportation or concealment, or to the removing any wool, wool flocks, &c. fuller's earth, fuller's clay, or tobacco-pipe clay, contrary to the act made against ditto, *he shall forfeit 300l. to him who shall sue for same, by action in the Courts of Record at Westminster.* 12 Geo. 2. c. 21. s. 25.

If in consequence of a search warrant any ends of yarn, welts, thrums, &c. (flocks and pinions only excepted) shall be found on any person collecting the same, in any bag, &c. *he shall upon oath thereof, by one witness, before Justice, be deemed and punished as an incorrigible rogue.* 11 Geo. 1. c. 23. s. 8.

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If any person shall oppose any officer, &c. in seizing any wool, wool-fells, &c. fuller's earth, &c. &c. *he shall be sent to hard labour on the Thames, &c.* 12 Geo. 2. c. 21. f. 26.

Packs of wool, wool-fells, fuller's earth, &c. &c. shall not be carried by land, to or from any place, &c. but in the day time, and at seasonable hours, (*i. e.*) from the 1st of March, to the 29th of September, between 4 in the morning, and 8 in the evening; and from the 29th of September, to the 1st of March yearly; between 7 in the morning, and 5 in the evening, under the penalty of *forfeiting the same, or the value thereof, half to the king, and half to him that shall sue by action in the Courts of Record.* 13 & 14 Car. 2. c. 18. f. 9.

No wool shall be wound that is not sufficiently washed, (except in counties where wool is not customably washed, or fleeces be sold by number) *on pain of 6d. for every such fleece, half to the King, and half to the prover of such deceit, by action in the Courts of Record,* 23 Hen. 8. c. 17. f. 1. 2. & 13 Eliz. c. 25. f. 1, 5.

Persons employed in the woollen manufacture, not returning implements and materials to their employers, or shall cut, or pick off, the list or mark of any cloth, *on conviction, on oath of one witness, before a Justice, to be committed for 1 calendar month.* 14 Geo. 3. c. 25. f. 1.

Persons absconding and selling materials, or fraudulently buying or receiving such tools, a Justice on oath thereof may issue a search warrant, who may seize tools, &c. and bring the persons in whose custody they are found before a Justice, who may be so committed. *Idem.* f. 2.

Persons guilty of a second offence may be committed 'till the next General Quarter Sessions, or give security, &c. and the Justice may bind over the informer, and if offenders be found guilty, *they shall be committed not exceeding 3 calendar months; and if it shall appear that such persons have already been convicted at some General Quarter Sessions, they may be committed not exceeding 6 calendar months, and be once publicly whipped.* *Idem.* f. 5, 6. N. B. Information to be within 3 months. *Idem.* f. 10. See BURYING, CLOTHIER, COTTON, MANUFACTURE, SHEEP, SKINS, and TOOLS.

WORKMEN. Persons seducing artificers, in any of the manufactures of Great-Britain or Ireland, out of Great-Britain, *shall upon indictment or information forfeit 500l. and be imprisoned for 12 months, and for a second offence 1000l. and imprisonment*

prisonment for 2 years. N. B. Prosecution within 12 months,
23 Geo. 2. c. 13. f. 1. See ARTIFICERS.

WOUND. If any man be wounded in peril of death, the party wounding, shall be arrested and put in surety, 'till perfect knowledge be had, whether he so hurt shall live or die,
3 Hen. 7. c. 1. f. 2.

WORKHOUSE. See CHURCHWARDENS, GAOL,

WORMWOOD. See BREWER.

WRECK. If any person shall plunder, &c. any ship which shall be in distress or wrecked, &c. in any part of his Majesty's dominions, (whether any living creature be on board such vessel or not) or shall beat, &c. or otherwise wilfully obstruct the escape of any person endeavouring to save his life, &c. or shall put out any false light, &c. *he shall suffer death, &c. by clergy.* 26 Geo. 2. c. 19. f. 1.

Stealing from thence goods of small value (without circumstance of cruelty) is *petty larceny.* *Idem.* f. 2.

Any person, who in consequence of a search warrant (to be issued on oath of one witness) shall be found to have any ship-wrecked goods in his possession, and shall not immediately, upon demand, deliver the same to the lawful owner, or to, &c. or shall not give a satisfactory account of the same, *shall be committed to the common gaol for 6 months, &c. 'till he should have paid treble value of the things so detained, &c. the owner, &c.* *Idem.* f. 3.

If any such shall be offered to sale, or stopped by any officers of the Customs or Excise, or by any constable, or other peace officer, and the person so offering, &c. *exclusive of returning the same to the owner, upon payment of a reasonable reward to the person seizing, shall be committed, &c. &c. (as last)* *Idem.* f. 4.

If any person shall assault any magistrate, constable, or other peace officer, in the salvage of any vessel or goods, *shall be sent to hard labour on the Thames, &c.* *Idem.* f. 11.

Persons acting contrary to order, respecting assembling, in case of a shipwreck, &c. *shall (by one Justice) forfeit, not exceeding 5l. to the King, to be levied by distress, and in default commit. not exceeding 3 months.* *Idem.* f. 13.

Where a man, a dog, or a cat, escape quick out of a ship, neither the ship, nor barge, nor any thing within them shall be adjudged a wreck. 3 Edw. 1. c. 4. f. 1.

Y.

YARN. Persons reeling short yarn, *shall upon oath of the owner, before a Justice, forfeit for the first offence, not exceeding 20s. nor less than 5s. for the second, not more than 5l. nor less than 40s. for the third, imprisonment for one month, and to be once publicly whipped.* 14 Geo. 3. c. 44. s. 2. N. B. Penalties to be levied by distress, and to go to the party grieved. 15 Geo. 3. c. 14. s. 1. See COTTON, SHEEP, and WOOLLEN.

YEAR. See MONTH.

F I N I S,

E R R A T A,

Page 64. for line 31, 32, 33, 34, 35, 36. read—And if the offender be in any wise intrusted with the care of deer, he shall forfeit double the above penalty, half to the King, and half to the informer, to be levied by distress, and in default, commit. for one whole year, sans bail, &c. and for a second offence, shall be sent to hard labour on the Thames. 16 Geo. 3. c. 30. s. 1. 11.

L. 39. for—he shall forfeit 30l. (as last) Idem. read—he shall forfeit, not exceeding 30l. nor less than 10l. (as last). And if the possessor of any head or skin, &c. shall not be liable to conviction, the Justice may summon all parties, through whose hands the same passed, and if the person from whom the same was first received, shall not give satisfactory proof, &c. he shall forfeit the same, &c. Idem. s. 4, 5.

P. 65. l. 3. dele either in the night or day time, and, for l. 4. read—shall forfeit the penalty inflicted for the first offence of killing deer. Idem. s. 8.

Dele l. 5. to 11. and l. 19. to 23.

All engines, &c. may be seized for the owner's use, by the keeper, who may also apprehend offenders. Idem. s. 9, 15.

Offenders committed may be enlarged by the Justices, at their Sessions, upon obtaining the consent of the prosecutor, and owner, &c. and discoverers shall not be liable. Idem. s. 16, 17.

Persons convicted on former statutes, and offending against this, shall be deemed guilty of a second offence against this Act. Idem. s. 2. N. B. Actions under this Act, shall be laid in the county where offence committed, and shall be commenced within 6 calendar months, and prosecutions within 12 calendar months.



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